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The Kashmir Question

Retrospect and Prospect

Editor
SUMIT GANGULY

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This book is dedicated to Robert Jervis,
outstanding scholar and unstinted
intellectual supporter

Contents

Acknowledgments		viii
Introduction	<i>Sumit Ganguly, Jonah Blank, and Neil DeVotta</i>	1
India's "Potential" Endgame in Kashmir	<i>Amitabh Mattoo</i>	14
Pakistan's Endgame in Kashmir	<i>Husain Haqqani</i>	34
Terrorism in Jammu and Kashmir in Theory and Practice	<i>Praveen Swami</i>	55
US Policy and the Kashmir Dispute: Prospects for Resolution	<i>Devin T. Hagerty</i>	89
Politics, Proximity, and Paranoia: The Evolution of Kashmir as a Nuclear Flashpoint	<i>Timothy D. Hoyt</i>	117
Kashmir and Tibet: Comparing Conflicts, States, and Solutions	<i>Carole McGranahan</i>	145
Kashmir: All Tactics, No Strategy	<i>Jonah Blank</i>	181
Abstracts		203
Notes on Contributors		206
Index		207

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The Kashmir Question: Retrospect and Prospect

*SUMIT GANGULY, JONAH BLANK, AND
NEIL DEVOTTA*

Few bilateral conflicts have proven as resistant to resolution as the Kashmir dispute between India and Pakistan. What explains the tenacity of this dispute? The answer is complex and goes to the very basis of state-construction in South Asia. India, which had been created as a civic polity, initially sought to hold on to this Muslim-majority state to demonstrate its secular credentials.¹ Pakistan, in turn, had laid claim to Kashmir because it had been created as the homeland for the Muslims of South Asia.² After the break-up of Pakistan in 1971 the Pakistani irredentist claim to Kashmir lost substantial ground. If Pakistan could not cohere on the basis of religion alone it had few moral claims on its co-religionists in Kashmir. Similarly, in the 1980s, as the practice of Indian secularism was eroded India's claim to Kashmir on the grounds of secularism largely came apart. Today their respective claims to Kashmir are mostly on the basis of statecraft.³

The Road to Conflict

The historical origins of the dispute are well known. They can be traced to the hasty process of British colonial withdrawal from the subcontinent in 1947. At the time of colonial disengagement from the subcontinent two classes of states existed in the Indian Union. One set of states included those of British India and were under the tutelage of the British Crown. A second set of states, which were nominally independent, were classified as the "princely states." These entities, ruled by local monarchs, recognized the British Crown as the paramount power in the subcontinent.

Lord Mountbatten, the last Viceroy, decreed at the time of independence and the partition of the British Indian empire into the two nascent states of India and Pakistan that, with the lapse of British rule, the princely states could join either India or Pakistan. He ruled out any prospect of independence. The vast majority of the rulers complied with Mountbatten's decree. The Maharaja of Kashmir, Hari Singh, was one of

the few monarchs loath to join either India or Pakistan. Months after the partition and the independence of India and Pakistan he had not acceded to either state. In early October, a tribal rebellion broke out in Poonch, in the western reaches of his state. The Pakistani military, with the support of the political authorities, quickly entered the fray. They armed and organized the rebels and also provided them with logistical support.⁴ Within the next two weeks the insurgents had reached the outskirts of Srinagar, the summer capital of the state of Jammu and Kashmir. Maharaja Hari Singh, now in a state of panic, appealed to India for military assistance. India agreed to provide such assistance only when two conditions were met. Maharaja Hari Singh would first have to seek the imprimatur of Sheikh Mohammed Abdullah, the leader of the Jammu and Kashmir National Conference, the largest secular and popular organization within the state. If Abdullah granted his assent to accession to India the Maharaja would have to sign the formal Instrument of Accession before Indian troops could be provided for the defense of his realm. In the event, Sheikh Abdullah did opt for joining India and the Maharaja then signed the Instrument of Accession. Almost immediately thereafter, in late October, Indian troops were dispatched to Srinagar to stop the Pakistan-aided tribal advance.⁵

Over the remainder of the year Indian and Pakistani forces, along with the tribal invaders, fought a series of pitched battles. On the advice of Lord Mountbatten, India referred the Kashmir issue to the United Nations on January 1, 1948. The United Nations sought to broker a settlement of the dispute and passed a crucial resolution on August 13, 1948. This resolution called on Pakistan to "vacate its aggression" in Kashmir, on India to reduce the number of troops in the region commensurate to the maintenance of law and order, and for an impartial plebiscite to be conducted to determine the wishes of the Kashmiri population. Neither side adhered to the terms of this resolution. Pakistan did not withdraw its forces from Kashmir and India reneged on the plebiscite. On January 1, 1949, the first Kashmir war came to a close with a United Nations-sponsored ceasefire. At the time of the ceasefire Pakistan came to control about one-third of the state and India approximately two-thirds. The line separating the two warring armies came to be known as the "Cease-Fire Line" (CFL). During the next two decades the Kashmir issue was endlessly debated in the United Nations. However, these multilateral negotiations proved mostly futile due to the intransigence of both parties to the

dispute. By the early 1960s the United Nations largely lost interest in the subject.⁶

In the interim, India drafted a separate constitution for Jammu and Kashmir. Sheikh Mohammed Abdullah became the first Prime Minister of the state under the new constitution. Shortly thereafter, he reached an agreement with Prime Minister Nehru in 1952 that granted Kashmir a large degree of autonomy under the Indian constitutional order. The terms of this agreement as well as Abdullah's tenure in office proved to be short-lived. India dismissed him and his government in 1953 on the grounds that he was threatening to declare independence. These allegations against Abdullah were never conclusively proven but he was periodically incarcerated for the next two decades. In Abdullah's absence, New Delhi tolerated the malfeasances of a series of regimes in Kashmir as long as they did not threaten secession.

With the failure of multilateral negotiations the United States and the United Kingdom made an attempt to promote a bilateral dialogue between India and Pakistan in 1963. This effort, which led to six rounds of talks, nevertheless failed to break the continuing deadlock. In the interim, India started steadily integrating its portion of Kashmir into the Indian Union. India's attempts to integrate Kashmir and the failure of both multilateral and bilateral negotiations prompted the Pakistani leadership of President Mohammed Ayub Khan to resort to war to wrest Kashmir from India. This military operation, however, failed and the war ended in a stalemate. The United States chose not to promote a postwar settlement, thereby permitting the Soviet Union to proffer its good offices. The Soviets accordingly brought the two parties together and brokered a settlement in the Central Asian city of Tashkent in 1966. Under the terms of the Tashkent Agreement the two sides agreed to return to the status quo ante and to abjure from the use of force to settle the Kashmir dispute.⁷

Nevertheless, yet another Indo-Pakistani war ensued in 1971. The *casus belli* for this war was unrelated to Kashmir. On this occasion the war stemmed from the exigencies of Pakistani domestic politics and from India's involvement in the civil war in East Pakistan.⁸ The outcome of this war was decisive. India emerged as the clear-cut victor. A postwar settlement was reached in 1972 at Shimla in northern India between Zulfikar Ali Bhutto, the President of Pakistan and Indira Gandhi, the Prime Minister of India. Under the terms of the Shimla Accord the two sides reaffirmed their commitment to settle the Kashmir dispute through

peaceful means and to transform the nomenclature of the "Cease-Fire Line" to the "Line of Control" (LOC).⁹

In the aftermath of this war the Kashmir question as a bilateral dispute largely became dormant. Within Indian-controlled Kashmir, however, a series of important political developments took place during the next two decades. Sheikh Abdullah was brought back to the helm of power following an agreement signed in 1975 between his interlocuter, Mirza Afzal Baig and G. Parthasarathy, a senior Indian official. In 1977, his political party, the National Conference, won an overwhelming victory in an election that was considered to be free and fair. Abdullah ruled Kashmir until his demise in 1982. His son and successor, Farooq Abdullah, assumed his father's mantle following an election in 1983. Farooq Abdullah's tenure in office proved to be turbulent as he quickly ran afoul of New Delhi and was dismissed from power on tenuous grounds in 1984. Subsequently, he was brought back to power in 1986. In 1987 he entered a power-sharing arrangement with the Congress Party to contest the state-level elections. These elections were profoundly compromised and contributed to widespread disenchantment among the local population. The alienation of the population from the state contributed to the outbreak of an ethnoreligious insurgency in 1989.¹⁰

Sensing an opportunity to impose significant costs on India, Pakistan quickly entered the fray. By the mid-1990s the insurgency had lost many of its pristine features and had become an externally supported, religiously oriented extortion racket.¹¹ By the late 1990s the erosion of popular support for the insurgency in Kashmir enabled the Indian state to militarily weaken the insurgents to a substantial extent. In an attempt to revive the flagging insurgency and to re-focus international attention on Kashmir, Pakistan made a series of incursions in the extreme northern parts of the state in April-May 1999. In large part, Pakistan's overt acquisition of nuclear weapons in 1998 had emboldened its decisionmakers to undertake this venture.¹² Despite an initial failure to detect the infiltration across the Line of Control, India responded to the incursions with vigor but kept the conflict limited for fear of escalation to the nuclear level.¹³ Systematic Indian military pressure and American diplomatic intercession brought this war to a close in mid-July 1999.

The Pakistani commitment to Kashmir, however, remained unflagging. Pakistani-sponsored terrorist groups sought to expand their ambit of operations even after the September 11, 2001 Al Qaeda attack on the United States and the US-led global war against terror. On

December 13, 2001, a terrorist attack on the Indian parliament contributed to a new spiral of tensions between India and Pakistan. For the first half of 2002 India and Pakistan deployed substantial portions of their military assets along the Indo-Pakistani border and along the Line of Control in Kashmir. Persistent American pressure on Pakistan, and calls for restraint on India, helped prevent the outbreak of another Indo-Pakistani war. Nevertheless, Pakistan continued its support for the insurgents after briefly curtailing its assistance under American pressure.

Despite occasional acts of terror and the systematic targeting of politicians, India succeeded in holding an election in Kashmir in September-October 2002. Some 44% of the eligible electorate participated in this election. Most observers, whether Indian or foreign, considered this election to be largely free and fair. A coalition government, headed by a former Indian Minister for Home Affairs, Mufti Mohammed Sayeed, assumed office in late 2002.

Since his assumption of office his regime has been seeking to address existing grievances in the state. Terrorist activity, nevertheless, continues apace, and Indo-Pakistani relations remain mostly deadlocked. Despite Pakistan's intransigence in late April, Prime Minister Vajpayee made a renewed appeal for bilateral discussions and the initial Pakistani public response was positive. The United States, which for the past several months had been preoccupied with the conduct of the war in Iraq, also re-focused its attention on South Asia. However, whether the United States would actually undertake a significant effort to contain the Kashmir conflict or facilitate a renewed peace process on the Kashmir question remained an open question.

Overview of Articles

In the articles that follow, Amitabh Mattoo argues that while the Indian government has not explicitly or publicly propounded a plan to solve the Kashmir imbroglio, numerous outcomes, influenced by internal political dynamics and external shocks, have coalesced to potentially enable India's policymakers to adopt "a more long-term and imaginative course" to resolving the dispute. The fact that there is no single entity within the Indian government that dominates thinking on Kashmir may be a major reason a tolerable solution has not been publicized. But this, according to Mattoo, has not precluded the Indian establishment reaching a general understanding as to what it would take to craft a permanent remedy. Mattoo suggests that the Kargil war of 1999 and the worldwide sympathy

this generated for India as the aggrieved party; the September 11, 2001, terrorist attacks against the United States and the subsequent US-led global war against terrorism; significant Kashmir support for an end to the anti-India uprising and *jibadi* activities; India's quest to expand political decentralization and maximize economic gains, and its elites' aspiration to see India play a more influential role in the international arena have all commingled to influence India's leaders to try and solve the Kashmir conflict. Such a solution will not come at the expense of Kashmir being allowed to secede from India or join Pakistan. There may have been a time when South Indians, for example, considered Kashmir an albatross and cared little about India being divested of its territory. But the Kargil war, by virtue of being India's first televised war, created widespread Indian nationalism and solidified the opinion that Kashmir was ineradicably a part of India, and there is now no support anywhere in the country for an India devoid of Kashmir.

But how would such Indian determination in the face of Pakistani claims to Kashmir contribute to a peaceful solution? Mattoo suggests that India and its elites may be finally reaching the conclusion that increased autonomy, which hitherto may have been viewed as a first step toward secession, can indeed empower the Kashmir polity and cultivate its allegiance to India, and he spells out a series of steps the Indian government ought to pursue in seeking to achieve this outcome. Some have suggested that breaking up Jammu and Kashmir into smaller units would help end the ongoing conflict. Mattoo, however, strongly disagrees, because he believes all such an arrangement would do is exacerbate communalism, undermine India's secular legacy (by gerrymandering borders to create majority Muslim, Hindu, and Buddhist units), and generate a new exodus that would only revivify Partition's orgiastic mayhem.

If Kashmir is vital for India's secular credentials, Pakistanis sense acutely that its loss undermines the ideology informing Jinnah's "two-nation theory" which justified Partition. As Husain Haqqani argues, Pakistan's military leaders effectively utilize the ideology that necessitated Partition when making claims on Kashmir. In doing so, they divert attention from their authoritarian malpractices and manipulate the crisis to control the country's ethnolinguistic nationalist movements. Haqqani details how the Kashmir conflict has exacerbated Pakistan-India relations and makes clear that the deep-seated suspicions Pakistanis in general harbor toward India allowed the country's elites to equate the

loss of Kashmir with perpetual Indian domination. Insensitive and jingoistic comments by especially post-independence Indian leaders have no doubt contributed to this mindset, because more delicate and accommodating pronouncements might have generated a greater sense of security among the Pakistanis. The upshot of this is that "national security, primarily against India, became a national preoccupation" and has superimposed the view that to compromise on Kashmir is to resort to weakness and subjugation. As Haqqani notes, the communal agitprop perpetrated by India's Hindu nationalists has only emboldened Pakistan's Islamic fundamentalists, while the latter's nefarious acts in Kashmir have in turn galvanized the *Hindutva* forces. The religious extremists in both states may very well deserve each other, but their sulfuric rhetoric and murderous actions have only catalyzed both countries' perceptions about one another and Kashmir.

Haqqani argues that while Pakistan may have initially claimed that the loss of Kashmir's resources undermined the country's economic viability, the economic and military gains it has made since independence makes clear that the quest to incorporate Kashmir is dominated by ideology and not strategic or economic security. This, of course, has legitimated military rule; for if the Kashmir dispute and the accompanying mindset that India is an incorrigibly domineering state has justified preferential treatment for the military establishment, over fifty years later the military establishment has turned out to be the only institution that can provide a modicum of stability. Consequently, it is perhaps no surprise that the military dictates policy toward Kashmir even when civilians have run the government. But, as Haqqani indicates, this has led to an invidious situation where the military feels it has to fan conflict with India "to justify its preeminence." The irony here is that if Jinnah's "two nation theory" was Pakistan's *raison d'être*, the Kashmir imbroglio has helped justify the military's *raison d'être* as the country's preeminent institution.

While many have worried over the Islamist influence in the Pakistani military, Haqqani suggests that the loss of East Pakistan in 1971 was a major reason for this turn. This is because once the military elites realized that East Pakistani and Indian secular nationalists had collaborated to engineer Pakistan's dismemberment, they sought to ally themselves with Islamic militant groups that were considered more dependable. This policy received America's imprimatur when the militants became useful to humiliate the Soviets in Afghanistan. The

forces that fought the Soviets have since waged *jihad* against the US and have long bedeviled Indian forces in Kashmir.

The gravest concern is that India and Pakistan may resort to a nuclear war over Kashmir. Haqqani argues that while both states, despite having nuclear weapons, may have waged an unconventional war in Kargil, there is no guarantee that nuclear weapons may not be utilized in a future conflict. The fact that the Pakistanis may seriously consider using unconventional weapons during such a conflict makes Kashmir and the entire subcontinent a very volatile place indeed.

So what exactly is the US position toward a subcontinent that can unleash nuclear war? As Devin Hagerty makes clear, not only does United States policy toward Kashmir tend to be pessimistic, the US has also consistently eschewed promoting any plan to solve the Kashmir problem. Hagerty suggests that while it is understandable for the over fifty-year-long Kashmir conflict to be seen as "intractable," this is no reason for the world's only superpower to desist from using its influence to assist in crafting a solution. Indeed, with nuclear conflagration being a distinct possibility, Hagerty claims that this is one conflict the US should attempt to solve even if its efforts may end in failure. As he notes, the US provides global leadership in today's world, and "Leadership requires more than devising policies that are guaranteed to work; it also involves taking risks on bold initiatives that may fail, but whose unlikely success would produce greater stability in a tense and fluid international system."

Hagerty provides a useful summary of US policy toward Kashmir and in doing so also generates a concise account of how the conflict between India and Pakistan was exacerbated. The post-WWII world saw the US pay scant attention to South Asia, and the initial crises in Kashmir were consequently easily disregarded. Even when the US did realize that the ensuing standoff between India and Pakistan could destabilize South Asia and allow the Soviets a strategic opening, it avoided a leading and conspicuous role and instead preferred UN Security Council involvement. Washington's 1954 "strategic courtship" of Pakistan only incensed Indian opinion toward the US and precluded the latter operating as an impartial entity even if it had wanted to do so. The Kennedy administration encouraged Nehru to talk to the Pakistanis in 1963, but nothing came of the effort, and subsequent events merely caused the US to become a distant observer of what transpired in the subcontinent. When the Soviets invaded Afghanistan, Pakistan became a frontline state through which weapons were supplied to the anti-Soviet

mujahideen, but this hardly translated into American involvement in Kashmir. Indeed, one of Haggerty's complaints against US policy on Kashmir is that "Washington has [consistently] limited itself to crisis management rather than diplomacy geared toward conflict resolution."

It is clear that US involvement in the subcontinent increased in the 1990s, especially when trying to de-escalate military conflict during the 1999 Kargil war. It is also clear that President Bill Clinton, *à la* the 1972 Simla Agreement, made it known that the US would prefer India and Pakistan to solve the Kashmir issue bilaterally. This endeared President Clinton to the Indians and upset the Pakistanis, but it failed to bring the subcontinent's antagonists together. The US under President George W. Bush once again resorted to frenetic diplomacy in 2002 when India and Pakistan stationed nearly a million soldiers on their border after terrorists had attacked the Indian parliament. Conflict was avoided; but, as Haggerty notes, the US had once more merely provided high-level diplomacy and eschewed serious involvement. Haggerty would like to see the US use its political capital and manifold resources to provide a blueprint for a permanent solution and thereafter work assiduously to ensure the parties accept it. He holds that gradually converting the present LOC into an international border would be the most logical solution and consequently maps out a way the US may assist India and Pakistan in achieving this outcome.

Praveen Swami's article details the nature of the terrorist threat facing Kashmir and suggests that, as far as India is concerned, the worst may be yet to come. Swami not only introduces us to the most prominent groups operating in Kashmir, but also highlights the ideological connection between these groups and their sponsors in Pakistan. In doing so, he argues that when the available data, both unclassified and classified, are analyzed, it becomes clear that India has hardly succeeded in reversing the "threshold of violence" Pakistan has generated in Kashmir; all the militant groups operating in Kashmir embrace a similar ideology and to try and distinguish between them ideologically is futile; the terrorist problem Jammu and Kashmir faces is better understood within the context of the subcontinent's long-lasting ethnonational and religious identities.

It is clear that the Congress Party's electoral malpractices and the Indian state's ham-handed policies in the 1980s undermined whatever impartial institutional structure was in place and ended up radicalizing the Kashmiris. While the region had experienced episodic terrorist

activities since the mid-1960s, what ensued after 1988 was utter mayhem. Since then not only have the infiltrating terrorists been better trained, but the non-Kashmiri combatants appear to be greater in number than their Kashmiri counterparts. Otherwise noted, the once indigenous Kashmir uprising against the Indian state has been hijacked by *jihadi* elements bent on taking their Islamist war beyond Kashmir and beyond even Indian borders. As Swami notes, these Islamist ideologues view the conflict in Jammu and Kashmir as part "of a larger south Asian communal conflict."

Many analysts, especially since the US war against terrorism began, have argued that poverty and socioeconomic marginalization are responsible for breeding terrorism. Swami, however, claims that "In none of the cases I have studied does there seem to be a link between real poverty and [terrorist] recruitment." The evidence he has marshaled on Kashmir seems to bolster his claim, suggesting that while poverty and alienation can *contribute* toward creating terrorists, such factors by themselves do not *cause* terrorism. If anything, one may argue (relying on Swami's analysis) that the anti-Muslim practices and violence perpetrated by India's *Hindutva* forces have done as much, if not more, to assist terrorist recruitment as have poverty and socioeconomic marginalization.

While Swami argues that the Indian government is wrong to believe there are moderate militant elements in Kashmir, he also notes that a policy eschewing ham-handed counter-terrorist practices could reduce the sense of domination and subjugation the average Kashmiri experiences and gradually endear the valley's population to the Indian state. But he, like many others, also suspects that India will be unable to completely shut out terrorists infiltrating Kashmir unless Pakistan stops supporting the militants. This gives Pakistan the upper hand, a fact all the more clear when one analyzes the subcontinent's nuclear dynamic.

When India and Pakistan conducted nuclear tests in May 1998 many Indians thought this would prevent military conflict between the two countries. Yet, as Timothy Hoyt argues, the Kargil war not only disproved such expectations but Kashmir has now become a nuclear "flashpoint." Kashmir has taken on such status, Hoyt argues, because "it represents a *recurring* or relatively constant focus of conflict." Kashmir is not the only flashpoint in the world, but the crises it stands to generate are more dangerous given that both antagonists are armed with nuclear weapons. Hoyt elaborates on the criteria contributing to

such flashpoints and analyzes the attendant impact on Kashmir and regional stability.

In discussing how India and Pakistan went about developing their nuclear capabilities, Hoyt shows how both countries acquired weapons without any regard for a nuclear doctrine or a command and control system. Indeed, such issues were not seriously considered until after the May 1998 tests. Hoyt makes clear how these tests, rather than generating regional stability (as India envisioned), only contributed to the "stability-instability" paradox by allowing nuclear deterrence to become juxtaposed with low-intensity conflict. Indeed, not only did the nuclear tests succeed in internationalizing the Kashmir issue, but Hoyt also suspects that Pakistan may now exaggerate India's conventional capabilities so as to emphasize its reliance on nuclear weapons. India, for its part, seems to want to counter this Pakistani strategic stance by gearing up to wage limited conventional war "without triggering nuclear deterrence." All this makes the subcontinent a nuclear tinderbox. Nuclear optimists would argue that it is inconceivable two nuclear-armed states would fight each other. Hoyt, however, holds that the notion that "no nuclear powers will ever fight each other has been substantially undermined by the Kargil experience."

While China, through its support for Pakistan and its control of territory in the Aksai Chin region, has played an important supporting role in the Kashmir dispute, scholars and analysts rarely equate Kashmir with Tibet. Yet Carole McGrahanan, by drawing on the literature in political science and anthropology, argues that historical contingencies, rhetoric legitimizing the nation-state project, and the post-September 11, 2001, war on terrorism have generated a dynamic whereby both regions can now be seen to share some commonalities. According to McGrahanan, throughout history countries' boundaries have been altered, and the disputes over Kashmir and Tibet make state expansion or contraction a very real possibility for India and China. Indeed, the type of state each country aspires to be determines the challenge facing India and China. With territory now tied to nationhood and nationalism, McGrahanan argues that, at a fundamental level, the conflicts in Kashmir and Tibet represent struggles over state identity.

McGrahanan provides an excellent synopsis of the Kashmir and Tibet-China conflicts and argues that by virtue of being caught up in international politics India's and China's interests and aspirations have triumphed over the legitimate grievances of the people of Kashmir and

Tibet, respectively. Furthermore, she claims that the extant conflicts in these regions can be comprehended better only when they are analyzed within a global politics context and when notions of state sovereignty do not undermine the respective peoples' rights. She discusses a list of possible outcomes and modes of conflict resolution and suggests that providing both regions with increased autonomy may be the most realistic policy choice for India and China.

Nearly all concerned argue that neither India nor Pakistan can prevail militarily in Kashmir and that a final solution would only come via diplomacy. Yet, as Jonah Blank argues, nearly all parties to the conflict are operating tactically as opposed to strategically. The only exception is the *jihadi* groups who want to see their crusade taken across India and thereafter to all areas where Muslims live. Thus, the most dangerous and destructive element in this imbroglio also happens to be the only actor with a long-term plan. Blank's article contrasts with Amitabh Mattoo's contribution to this volume, especially when he observes how, through irresponsible and jingoistic rhetoric and dangerous tactics, the Indian military, Pakistani military, India's national leaders, Kashmir's local leaders, and those in the Hurriyat conference all operate in a purblind fashion with utter disregard to long-term strategy or viable conflict resolution. This is partly due to overconfidence and an overarching hatred for their respective nemesis and partly to political shenanigans designed to accrue domestic political capital. In the military arena the emphasis on tactics over strategy is best exemplified by the military operations conducted in the Siachen glacier, where Indian and Pakistani soldiers strive to protect Himalayan terrain that provides more prestige and little strategic value to both countries. Blank's account makes clear that the myopic outlook exemplified by the leading protagonists will disappoint those hoping for a lasting solution to the conflict and merely provides fodder to those who prefer to see the crisis as "intractable."

NOTES

1. Donald Eugene Smith, *India as a Secular State* (Oxford: Oxford University Press, 1963).
2. On this issue see Zulfikar Ali Bhutto, *The Myth of Independence* (London: Oxford University Press, 1969).
3. The territory comprising the formerly princely state of Kashmir remains analytically divisible into at least six disparate portions: three currently under Indian administration, two under that of Pakistan, and one under the control of China. The Indian-controlled portions are Kashmir Valley, Jammu, and Ladakh, administered together as the state of Jammu & Kashmir. Most of the discussion of "Kashmir," in these essays and in standard academic discourse, focuses on the Valley and (to a lesser extent) Jammu; these areas are

the center of separatist activity, whether home-grown or sponsored by groups based across the Line of Control.

Ladakh is seldom closely tied to the larger issue, except in a geopolitical or military sense: its small population (about 200,000) contains a slim majority of Buddhists whose Tibetan culture keeps them removed from the separatist concerns of their neighbors, and the Muslim inhabitants of Ladakh are predominantly Shia communities that are similarly distanced from the Sunni Muslim population of the Valley. The Chinese-controlled portion (Aksai Chin) is largely uninhabited, so its disposition is more of a border dispute than a thorny political problem involving the wishes of a determined population. India claims the 14,500-square-mile territory, which Chinese forces seized in the 1962 Sino-Indian war.

The two areas under Pakistani control are the Northern Areas (comprised of Gilgit, Baltistan and Hunza), and Azad Kashmir. The Northern Areas are sparsely populated, and the region's 800,000 inhabitants predominantly belong to minority groups such as the Nizari Ismailis and various tribal communities. Citizens of the Northern Areas do not elect members of the national parliament (even during periods of democratic rule), and their affairs are largely controlled by Islamabad rather than by the local assembly; this has given rise to a limited amount of civil agitation for political reform, but not on a scale to cause concern to Pakistani military officials. The most salient military issue in the Northern Areas is that of Siachen Glacier: the world's highest battlefield, and site of intense deployment by both the Pakistani and Indian armies.

Azad ("Free") Kashmir is likewise treated by Islamabad as a political entity separate from Pakistan proper: it has its own president, its own prime minister, and a state government enjoying a degree of *de jure* autonomy. This autonomy is more a matter of symbol than substance, however: decisions that truly matter are still made in Islamabad. The population of Azad Kashmir is only partially "Kashmiri" – many of the region's citizens are of non-Kashmiri descent, and speak Punjabi or other languages as their mother tongue. While the Northern Areas are typically left out of the general debate on the future of Kashmir (it is widely assumed that any future disposition will not involve significant transfers of territory or sovereignty in this region), the final status of Azad Kashmir is very much part of the overall equation. Most plans involving some form of mixed control, land swaps, or dual citizenship focus on the Indian-controlled territories of Kashmir Valley and Jammu, and the Pakistan-controlled territory of Azad Kashmir.

4. Major-General (ret'd.) Akbar Khan, *Raiders in Kashmir* (Karachi: Pak Publishers, 1970).
5. The precise timing of Kashmir's accession to India has become the subject of considerable controversy since the publication of Alastair Lamb's work, *Kashmir, 1947: The Birth of a Tragedy* (Hertingfordbury: Rexford Books, 1992); for an Indian rejoinder see Prem Shankar Jha, *Kashmir, 1947: Rival Versions of History* (New Delhi: Oxford University Press, 1996).
6. For a discussion of the involvement of the United Nations in the Kashmir dispute see Pauline Dawson, *The Peacekeepers of Kashmir: The UN Military Observers Group in India and Pakistan* (London: Hurst, 1994).
7. The best explanation and description of the 1965 war remains Russell Brines, *The Indo-Pakistani Conflict* (New York: Pall Mall, 1968).
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India's "Potential" Endgame in Kashmir

AMITABH MATTOO

Over the last fifty-five years a diverse range of individuals and institutions have introduced a variety of solutions to solve the problems facing Jammu and Kashmir.¹ And yet most observers of the region would argue that there are still no signs that sustainable peace will return to Kashmir despite the tremendous interest in the conflict. This article presents an Indian view of the endgame in Kashmir. It seeks to answer two essential, if prosaic, questions: Does India have a plan for the final settlement of Jammu and Kashmir? If so, what are its essential elements? While there may not be a publicly discernable Indian game-plan, a combination of factors has helped to create the possibility of generating a process that could eventually lead to durable peace in Kashmir. Events subsequent to the Kargil war of 1999, the terror attacks against America on September 11, 2001, and the perceptions in India of a shift in international public opinion regarding Kashmir have all coalesced to provide an opportunity for India settle the Kashmir question. These factors are, however, rooted in deeper changes within the Indian polity, including the growing consensus on economic and political decentralization and New Delhi's ambition to increase India's influence within the international system. India's top political leadership may consequently become willing to commit itself to a *potentially* longer term and more imaginative course for its Kashmir policy.

First, it is assumed that two central hurdles stand in the way of peace in Kashmir: the conflict between India and the people of Jammu and Kashmir (the conflict in Kashmir) and the problems between New Delhi and Islamabad (the conflict over Kashmir). Second, while it is assumed that long-term peace would be attained only if both conflicts were resolved, it seems that there would be a significant improvement in the situation on the ground if New Delhi was able to arrive at a *modus vivendi* with representatives of the Kashmiri people.

This article is divided into three sections: section one will describe the main elements of India's changed policy and the possible endgame for resolving the conflict in Kashmir; section two will describe the

factors responsible for this shift in India's policy; and, finally, section three will briefly put forward India's potential endgame for resolving the conflict in Kashmir.

It is important at the very outset to make three important clarifications. First, this is an Indian's view of Indian policy on Kashmir and does not necessarily reflect official thinking or stated positions. It does, however, draw significantly from the author's understanding of Indian policy and discussions with Indian policy analysts and policymakers. In this sense, the article is descriptive as well as prescriptive. It describes "what is," even as it focuses on "what might be" and "what ought to be." Second, it is important to stress that there is no single locus of decisionmaking on Kashmir within the government of India at any given point. There are several institutions, including intelligence agencies, that devote considerable attention to Kashmir and most officials would privately declare that there is no clear policy on Kashmir. This article, however, suggests that despite the "policy diffusion" on Kashmir and the absence of a finely sketched blueprint in black and white (to mix metaphors), there exists the potential for a clear policy initiative, the main elements of which will be discussed here. Finally, there are "outcomes" that, for a variety of reasons, are unlikely to garner much support in India. There is, for instance, virtually no support for any solution that would involve the secession of the valley of Kashmir from India. There is also limited support for reunifying all of Jammu and Kashmir (including the part in Pakistan) within India, although there is a unanimous parliamentary resolution to that effect and there has been some growth in popularity for this outcome in recent years.

India's "New" Kashmir Policy

In January 2001 Prime Minister Vajpayee declared the following from the vacation resort of Kumarakom:

In our search for a lasting solution to the Kashmir problem, both in its external and internal dimensions, we shall not traverse solely on the beaten track of the past. Rather, we shall be bold and innovative designers of a future architecture of peace and prosperity for the entire South Asian region. In this search, the sole light that will guide us is our commitment to peace, justice and the vital interests of the nation.²

Vajpayee's words reflect fresh thinking in New Delhi's policy initiative toward Kashmir,³ and this includes: first, a move towards the isolation of forces perpetrating violence; second, a readiness to initiate unconditional negotiations with the Kashmiri people, including separatists; third, a commitment to hold free and fair elections for the state legislative assembly. Indeed, the government of India has achieved varying degrees of success in these objectives. There is today little popular support for militancy in Jammu and Kashmir (evidence for this is provided later in the article), and barring a few outfits (particularly the Hizbul Mujhaideen) most militant organizations are led and often manned by non-Kashmiris. Although the separatists, particularly the umbrella separatist alliance, the All Party Hurriyat Conference (APHC), have not responded positively to official Indian overtures, they have engaged with the Kashmir Committee and carried out a discreet dialogue with emissaries from New Delhi. There is also hope that elements within the APHC may be prepared to talk with former civil servant Narendra Nath Vohra, who was appointed New Delhi's official interlocutor in February 2003. Is New Delhi's new Kashmir policy part of a larger rethink on Kashmir and not merely a tactical maneuver to secure short-term advantage? The jury may still be out, but the broad framework of understanding that could form the bedrock of India's new initiatives is defined below.

Kashmir is Unique, and Must be Dealt With as a Special Case

Jammu and Kashmir's uniqueness is obvious for a variety of historical reasons and is even recognized by the Indian Supreme Court. In 1984, in *Khazan Chand versus the State of Jammu and Kashmir*, the court unambiguously held that the state has "a special place in the constitutional set up of the country." The 1983 Srinagar Declaration adopted by the opposition conclave that included Jyoti Basu, Inder Kumar Gujral, Chandrashekhar, and Prakash Singh Badal stated: "The special constitutional status of Jammu and Kashmir should be preserved and protected in letter and spirit."⁴

More significant, however, is Kashmir's singular importance to the very idea of India. As a Muslim majority state that voluntarily acceded to India, Kashmir lent tremendous strength to the construction of India as a vibrant, secular, and pluralistic state. Therefore, the battle to capture the trust of the Kashmiri people is not merely one to recover the ideals that inspired Indian nationhood; rather, it is a battle central to the

war against obscurantism and fundamentalism, especially of the Islamic variety. In other words, there is a growing realization that the political ineptitude and bureaucratic inertia that have often characterized New Delhi's policies toward many states cannot be continued in Kashmir.

Autonomy is Not a Dirty Word

This is a more complex issue. While the word "autonomy" is still anathema to the ruling Bharatiya Janata Party, which once committed itself to integrate Jammu and Kashmir fully within India, there is now a near-consensus on the need for political and economic decentralization. In this sense, there is growing recognition that granting autonomy to Jammu and Kashmir, even if the word autonomy may not be used, will not weaken India's relationship with Kashmir.⁵ Increasingly, autonomy is seen as being about empowering people, making people feel that they belong, and about increasing the accountability of public institutions and services. It is seen as being synonymous with decentralization and devolution of power, phrases that have been on the charter of virtually every political party in India.⁶ There is some recognition that autonomy carries tremendous resonance with the people of Jammu and Kashmir because they did enjoy such status until their puppet leaders colluded with the central leadership and gradually eroded the autonomy guaranteed by the constitution.⁷ It is also now recognized that there is no contradiction between wanting Kashmir to be part of the national mainstream and the state's desire for autonomous self-governance. If this balance is struck, Jammu and Kashmir could become a model of "cooperative federalism."⁸ Cooperative federalism is the notion that separatism grows when people feel disconnected from the structures of power and the process of policy formulation; in contrast, devolution ensures popular participation in the running of the polity.

Restoring autonomy in Kashmir does not require elaborate reports or reference to past agreements and accords. These obfuscate rather than clarify the issue of meaningful self-governance. For instance, autonomy, as has been suggested by a high-level study group, can be achieved in the state through a simple six-point plan.⁹ It is useful to describe some of the features of the plan.¹⁰ First, restore the nomenclature. The terms Sadar-I-Riyasat and Wazir-e-Azam, which were used until 1965 for the Governor and the Chief Minister of the state, still have important symbolic value for people of the state. Literally translated as Head of State and Prime Minister, this nomenclature should be restored. In

substance, this change will neither enlarge nor diminish the powers of the Governor or the Chief Minister. This will also not lead to a shift in their order of precedence.

Second, give the state a role in selecting the Governor. According to Article 155 of the Indian constitution, the "governor of the State shall be appointed by the President by warrant under his hand and seal." Until 1965 the *Sadar-I-Riyasat* in Kashmir was elected by the state legislature, but it was clear that a person acceptable to the center had to be appointed by the President. The Governor is widely viewed in Jammu and Kashmir as an instrument through which the center – and more often the political party in power – has furthered its interests in the state. The office of the Governor, in whom the constitution vests the executive power of the state, should be above narrow partisan politics. The Governor could be elected by the state legislature and appointed by the President and, by virtue of Article 156(1), hold office at the pleasure of the President. Or, alternatively, the state government could submit a panel of names and the President could appoint a suitable person who would govern at his pleasure.

Third, prevent the misuse of Article 356. This article deals with "provisions in case of the failure of the constitutional machinery in states." The misuse of Article 356 is a matter that has caused widespread concern in all states. The Inter-State Council is considering the matter and some agreed modifications and safeguards might emerge. While some might argue that it would be imprudent and impractical to exempt Jammu and Kashmir from the purview of the article altogether (although the state was brought under its purview only in 1964), it is still possible to modify it significantly and prevent its misuse without compromising the country's capacity to deal with real emergencies. In case of a constitutional breakdown, provisions should be made for holding elections within three months, and an Eminent Persons Group from the state ought to also be constituted to oversee issues if, due to violence and other disturbances, elections cannot be held within three months.

Fourth, give state services more authority and increase the quota in the All India Services. Part XIV of the constitution, which deals with the Services, did not apply initially to Jammu and Kashmir. But the provisions of Article 312 relating to All India Services were extended in 1958. Under the scheme, entry into the Indian Administrative Service (IAS) and the Indian Police Service (IPS) is both by direct examination

and selection of "promotees" from the state civil service by the Union Public Service Commission. In most states the state quota has been around 33%, but in the case of the state this has been 50%. The bulk of direct recruits to the IAS, IPS, and Indian Forest Service (IFS) are from just about twenty-five colleges/universities in India. There is reason to believe that in the years ahead the number of recruits from the state will increase as the quality of education in Kashmir improves. In any case, a strong case can be made that the Jammu and Kashmir quota (from within the state services) should be increased for a period of twenty years to 75%, especially given the disruption the educational system in the state has faced over the last decade. The Kashmir Administrative Services (KAS) and the Kashmir Police Service (KPS) have also suffered severe neglect and marginalization over the last decade. Part of the problem has to do with inadequate training, but it is critical that KAS and KPS officers are promoted to positions of authority and have a career track similar to IAS and IPS officers.

Fifth, appoint a Regional Election Commissioner for the state. The impartiality of the Election Commission has come to be gradually respected, especially after the 2002 elections, and this despite past electoral aberrations (particularly in Kashmir). However, it would be prudent if a Regional Election Commissioner is appointed for the state, as provided for in Article 32(4) of the Indian constitution, to assist the Election Commission in the conduct of elections in the state. This appointment should be made on the recommendations of the state government before each election.

Sixth, provide guarantees for the future. Many people genuinely feel that even if an autonomy package is worked out, a future central government may, in collusion with the state's political leaders, renege on the agreement. This is understandable given the state's history of relations with the central government. It is therefore essential that special constitutional guarantees are introduced to ensure that the state's autonomy is not eroded. It may be necessary, for instance, to introduce a provision in the constitution which would make the special status of Jammu and Kashmir a basic feature of the document.

Admission of Mistakes is the First Step toward Restoring Trust between New Delhi and Kashmir

Over the years, the center has made a number of appalling mistakes in Kashmir.¹¹ Several elections have been rigged, genuinely elected

governments have been dismissed, puppet-leaders have been installed, and – in the last decade – ordinary Kashmiris have faced harassment from security forces. Some of these mistakes were avoidable; others were inevitable given the complex situation on the ground. It is being realized that admitting to such mistakes will not be construed as an expression of guilt, but will signal recognition that fresh initiatives toward Kashmir will be based on an awareness of past mistakes and a genuine desire not to see them repeated. Prime Minister Vajpayee has himself made this clear on a number of occasions.

Recovery of Kashmiriyat is Vital to Sustained Peace

There does seem to be a genuine desire within Jammu and Kashmir to recover the social capital lost in the last decade and to restore Kashmir's traditional society based on ideas of peaceful coexistence, pluralism, and the common syncretic identity of *Kashmiriyat*.¹² New Delhi and the new government in Jammu and Kashmir also seem to have realized that the recovery of this ethos must be central to their efforts to build peace in the state. The return of the Kashmiri Pandit minority community, which left Kashmir *en masse* because of the insurgency, is recognized as being vital for the revitalization of the traditions of pluralism and communal harmony. Indeed, the new government in the state has begun definite plans for a phased return of Pandits to the valley, although this initiative received a setback after a terrorist massacre of 24 Pandits in the Kashmir valley in March 2003. That said, a visit to Pandit camps near Jammu indicates that there is still a deep desire among them to return to Kashmir and that the values of *Kashmiriyat* are, by and large, still intact even among those living on the margins. In any case, Pandits were being encouraged to return to Kashmir for festivals, pilgrimages, and other special occasions. A dialogue between civil society leaders of Kashmiri Pandits and Kashmir Muslims is now being promoted and facilitated. The return of Pandits is essential for the revitalization of *Kashmiriyat*, and their return – on terms acceptable to them – continues to be a top priority for the state and central governments.

Ensuring Greater Regional Balance is Vital, but a Division of Indian Jammu and Kashmir should be Ruled Out

There are powerful forces demanding a trifurcation of the main regions of the state, Jammu, Kashmir and Ladakh, into separate administrative units.¹³ Posed as an imaginative solution, this demand, if conceded, could

lead to violent social disruptions in the state, polarize the community, irretrievably destroy the state's cultural and social fabric, and unleash perilous consequences for communal relations in the rest of India. In addition, trifurcation would forever end the possibility of reviving the plural traditions of communal harmony in a state that was once a symbol of the very idea of India. The ruling National Democratic Alliance in New Delhi appears to recognize that while it is critical to help create greater regional balance, there must be no division of the state.

The demand for a division of the state, per se, is not new. The UN mediator Sir Owen Dixon had recommended partitioning the state in 1950,¹⁴ and elements within the Praja Parishad agitation of the early 1950s also sought to separate Ladakh and Jammu from the valley if full integration of the state was not achieved quickly.¹⁵ But several factors have now coalesced to produce a potentially explosive situation.

Most important is the widespread feeling of deprivation and political and economic discrimination within Jammu and Leh.¹⁶ Indeed, political groups which are demanding separate statehood for Jammu and union territory status for Leh are exploiting such sentiments. They argue that not only will separation from Kashmir ensure better governance, more economic opportunities, and a greater share of political power, but people in Jammu and Leh will also be able to distance themselves from the ongoing militancy. They also claim that it is in their communities' interest to limit the security forces' "area of operations" and that division will ensure that only one-sixth of the whole state is exposed to the violence.

This logic is dangerous for at least three reasons. First, trifurcation will destroy the composite identity of the state, which has existed as one unit since 1846, and send a dangerous message to the whole nation: if Hindus, Muslims, and Buddhists cannot live together in one state, can they do so as a larger entity? Second, it will most probably lead to a transfer of Muslims from various parts of Jammu (including parts of the city and Doda, Rajouri, and Poonch), assuming that the whole province is made into a separate state. Finally, it will lead to such deep communal polarization that riots are bound to follow. It is no coincidence that the only group in the Kashmir Valley that has supported the idea of the division of the state is the Jamat-e-Islami.

Two factors have fueled these regional tensions. The first is the Regional Autonomy Committee (RAC) report released by the state

government in April 1999.¹⁷ Vastly different in scope and imagination from the State Autonomy Committee (SAC) Report,¹⁸ the RAC recommends the reconstitution of Jammu and Kashmir's existing provinces into eight new ones. The most controversial part of the recommendations is the manner in which Jammu province should be broken up along communal lines. All majority Muslim areas are to be detached from Jammu, ostensibly because they share a different ethnolinguistic character. Although the report merely recommends, and an expert committee, with at least one knowledgeable intellectual, has been appointed to give it final shape, it has created an impression within Jammu that the state government is seeking to politically marginalize itself even further.

A second factor that has contributed to regional tensions is the controversial US-based Kashmir Study Group's report, *Kashmir: A Way Forward*, released in February 2000.¹⁹ Chaired by an American businessman of Kashmiri origin, Farooq Kathwari, the members of the Study Group included a number of prominent academics and diplomats from the United States and Europe and three prominent US Congressmen. Exceedingly detailed, the report's preferred plan suggests creating a hypothetical Kashmiri state that includes the Kashmir valley, Doda (and perhaps part of the Mahore tehsil of Udhampur), Poonch, Rajouri (all within Jammu), and Kargil. While the report argues that areas outside the valley have been included because these areas are imbued with the cultural traditions of Kashmir, it is intriguing that all parts included are Muslim majority areas. Regional harmony, it is now becoming clear to Indian decisionmakers, cannot be ensured through partition, but can only be promoted through decentralization and devolution of financial and economic power that will treat the Panchayat as the primary unit of governance.

The Climate of Change

Several factors have coalesced to produce the possibility of a significant change in the attitude of the government of India. These factors are briefly discussed below.

International Public Opinion

One of the most important reasons for New Delhi's new flexibility is the perceived shift in international public opinion since the Kargil war and the terrorist attacks of September 11, 2001. On the one hand, no

longer does the government feel "internationally besieged" on Kashmir and, on the other, it recognizes that a more imaginative and sensitive handling of the province, domestically, could win it even greater support internationally.

Four ways the major powers responded to the events in Kargil are particularly noteworthy.²⁰ First, there was widespread dismay over Pakistan violating the Line of Control (LOC), and virtually no important state was willing to accept Islamabad's assertion that the Kashmiri Mujhaideen alone was responsible for the intrusion. Second, there was considerable support for the restraint India showed, particularly the decision by the political leadership to not let its armed forces cross the LOC or the international border, thereby averting a full-blown war. Third, in the aftermath of the war, and more so after the military coup in Pakistan (the seeds of which were also sown during Kargil), there were few, if any, supporters of Pakistan's Kashmir policy. There was increasing international recognition that Pakistan was not just waging a proxy-war against India in Kashmir, but the army of Islamic *jihadis* that were being produced in the Madrasas could unleash terror even beyond South Asia.²¹ Finally, there was also an awareness that the Kashmir problem was now more a symptom of the larger problems facing Pakistan, and while it was imperative that New Delhi should address the genuine grievances of the Kashmiri people, granting the province the right of self determination – on the basis of clearly outdated UN Security Council resolutions – would have disastrous consequences for the Indian subcontinent and weaken the forces of democracy, pluralism, and secularism in the region.

This shift in stance was particularly evident in the policies of the United States. Through much of the 1990s New Delhi had waged a diplomatic battle in international forums to prevent an internationalization of the Kashmir issue, even as it was repeatedly castigated for the human rights violations its security forces perpetrated in the province. The dominant perception within the government of India seemed to be that elements within President Clinton's administration, in concert with liberal governments of the "West," were supportive of the movement for *azadi* in Kashmir. The presence of Robin Raphael, Assistant Secretary for South Asia in the first Clinton administration, lent support to this perception. Raphael, a Counselor in the US embassy in New Delhi (before her appointment to the State Department) was alleged to have developed links with Kashmiri

separatists, and later, as Assistant Secretary, seemed to even question Jammu and Kashmir's accession to India.

This gradually changed during the second Clinton administration, but there was a marked difference during and after the Kargil war. Ironically, a new phase of political engagement between India and the United States began some months after India conducted a series of nuclear tests in May 1998. While the speed with which Foreign Minister Jaswant and Deputy Secretary of State Strobe Talbott were able to establish a personal rapport helped, the high point – in terms of Indian perceptions – was the Kargil war of 1999. It was clear that the United States was deeply disappointed by the Pakistan-backed intrusions across the LOC and that it actively worked for a unilateral and unconditional withdrawal of the Pakistani forces. The US attitude had a dramatic impact on Indian public opinion, and even conservative opinion makers in New Delhi were convinced that there was a gradual shift in American policy and that Washington was no longer working toward the “disintegration of India,”²² an opinion they widely held in the past. In the post-Kargil period, therefore, there was greater receptivity to American suggestions that New Delhi should attempt to carve out a more sensitive and imaginative policy geared at winning the hearts and minds of the Kashmiri people and that adopting such a course would not necessarily lead to Kashmir's secession from India. President Clinton's successful visit to India and the tone and content of the speech he delivered in Pakistan strengthened this perception.²³ Closely related to this understanding was the belief that if India was to become a global player and make an effort to assume greater responsibility in managing the international system, it had to demonstrate an ability to settle issues in its “own backyard.” Moreover, it was being realized that the “Kashmir problem was hanging like a millstone,” had “tarnished India's image,” led to “excessive use of India's diplomatic resources that could have been more usefully targeted elsewhere,” and prevented India from being recognized as an extra-South Asian power.²⁴ Although there has been disappointment at the US inability to exert more pressure on Pakistan in the post-9/11 era and thereby halt terrorism in Jammu and Kashmir, many feel that the basic thrust of US policy has not changed very much.

The Sentiment against Violence, Foreign Militants and Pakistan

There is an overwhelming sentiment against violence in Kashmir today. Militancy may not be down and out, but it has lost a great deal of the

popular legitimacy it once commanded. A large number of credible field surveys and opinion polls reveal that over 90% of the Kashmiri people now “disapprove” of violence and feel that an “armed struggle” is neither desirable nor a feasible way to achieve political goals.²⁵

The virtual takeover of the militant movement by foreigners, and especially its leadership by Pakistanis and Afghans in the aftermath of the Kargil war, has increased the sentiment against militancy. There is practically no real support or sympathy for the foreign militants. For instance, reports that Afghans belonging to the dreaded Lashkar-e-Tayyba may be dominating the militant movement has generated deep discomfiture in significant sections of the valley. Kashmiris have always had an uneasy relationship with the Afghans, given the history of tyrannical Afghan rule over the valley.

Similarly, there is strong disillusionment with Pakistan. The political and social conditions prevailing within Pakistan have not gone unnoticed in the Kashmir valley. The near-total absence of a civil society, the deep ethnic conflict in Sindh and other areas, and the almost Orwellian control that is exercised in Pakistan-occupied Kashmir have all left a deep impression on Kashmiris. The coup by General Pervez Musharraf has strengthened the growing feeling in Kashmir that a country whose commitment to democracy is so weak cannot fully support the Kashmiri's democratic aspirations.²⁶ A recent poll by MORI, the respected market research agency, is revealing. A very clear majority of the population – 65% – believed that the presence of foreign militants in Jammu and Kashmir is damaging to the Kashmir cause, and most of the rest take the view that it is neither damaging nor helpful. Two-thirds of people in Jammu and Kashmir took the view that Pakistan's involvement in the region for the last ten years had been bad. Only 15% believed it had been good for the region, while 18% said it has made no real difference. On the issue of citizenship, while 61% felt they would be better off politically and economically as Indian citizens, only 6% said they would be better off as Pakistani citizens.

The Sentiment for Autonomy

There is no doubt that the sentiment for self-governance remains strong in Kashmir. But this too is gradually being tempered by the realization that a fully independent sovereign Kashmir may not be feasible and that an autonomous Kashmir – within India – with full control of its internal affairs may be the only practical and viable way of moving forward.

Evidence for this sentiment is not difficult to find on the streets of Srinagar. Indeed, Dr. Farooq Abdullah's popularity increased after he passed a resolution for autonomy in the legislative assembly of the province.²⁷ Some important separatist leaders are privately beginning to admit that "full" autonomy within India could be acceptable if there were guarantees that there would be no erosion of this autonomy in the future.²⁸

The Role of Civil Society

Most writings on Kashmir rarely focus attention on its civil society. What is particularly omitted is the fact that in the last three years the overwhelming Kashmiri sentiment against violence has been accompanied by efforts to recover the social capital lost in the last decade so as to revitalize Kashmir's civil society. Although it is too early to describe these efforts as the beginning of a "peace movement" in Kashmir, there has been a mushrooming of NGOs actively attempting to channel the anti-violent sentiment into a powerful voice that cannot be ignored. At least fifteen workshops, seminars, or conferences have been held in the province in the last two years, in contrast to the almost total absence of any such activity through most of the 1990s. A study of the deliberations at these workshops reveals that nearly all of them have had mostly Kashmiri participants – with a sprinkling of intellectuals from other parts of India – and produced declarations or resolutions that were strongly in support of an end to "all" violence and "called for an unconditional dialogue."²⁹

The Conflict over Kashmir

While the conflict in Kashmir is showing signs, however faint, of moving toward a possible settlement, India and Pakistan are still deadlocked over the region.³⁰ Pakistan continues to aid, train, and arm militants operating in Kashmir; these militants are increasingly non-Kashmiri; and many are threatening to wage *jihad* all over the Indian subcontinent.³¹ But there are indications that a small, but increasingly influential, constituency in Pakistan might be willing to accept a "solution" worked out by the Kashmiris with India. This constituency, believe many within India's elite, needs to be strengthened. India, together with the international community and especially the United States, could (runs the argument) provide incentives to Pakistan to prevent it from subverting the peace in Kashmir. Given Pakistan's dire

financial status, most of these incentives would enable Pakistan to develop economically. Other carrots, depending on Pakistan's response, should also be worked out. In addition, New Delhi can keep Islamabad informed of the progress it is making in its dialogue with the Kashmiris.

If India is able to find a *modus vivendi* with the Kashmiris, a permanent division of Jammu and Kashmir between India and Pakistan along the present LOC, with minor adjustments if need be, may be the only realistic, practical, and just settlement of the problem. This, it needs to be admitted, is probably the most prescriptive section of the article. This is particularly so since such a move would mean that India would have to forsake its commitment to the unanimous parliamentary resolution calling for reclaiming the territory "under Pakistan's occupation" and for Pakistan to give up its traditional claim to all of Kashmir. However, converting the present LOC into an international border would settle a problem that has defied a solution for more than half a century.

The LOC corresponds, more or less, to the ceasefire line (CFL). Recall that the CFL was created after the suspension of armed hostilities between India and Pakistan on January 1, 1949. But it was delineated on maps during the Karachi Agreement of July 27, 1949, formally known as the "Agreement Between Military Representatives of India and Pakistan Regarding the Establishment of a Cease-fire Line in the State of Jammu and Kashmir." By November 3, 1949, with the help of United Nations military observers, the borders on the map had been demarcated on the ground by the two sides. The CFL, however, was demarcated only from the west of the Chenab River up to map coordinate NJ 9842, and not beyond. The absence of any physical demarcation has led to competing claims over the Siachen glacier, but the legality of the CFL itself has never been questioned. The CFL, with minor changes, became the LOC after the Shimla Agreement of July 2, 1972. It was delineated on maps and demarcated by top military officers from both India and Pakistan.³² Until the Pakistani intrusion in Kargil, the sanctity of the LOC was accepted and respected by the governments in Islamabad and New Delhi and their military commanders on the border. In short, the CFL/LOC has been the de facto border for 50 years.

There have been at least three occasions on which there seems to have been a near agreement between Indian and Pakistani leaders that Jammu and Kashmir be partitioned along the CFL/LOC with some

adjustments. In 1955 Prime Minister Jawaharlal Nehru and Pakistani Governor General Ghulam Mohammad are believed to have agreed to a division along the CFL with minor adjustments.³³ Between December 1962 and May 1963 Pakistan's then Foreign Minister Zulfiqar Ali Bhutto and Sardar Swaran Singh, a senior Indian cabinet minister, discussed a plan for partitioning along the CFL, with India conceding an addition 3,000 square miles west and north of the Kashmir valley, including Tithwal and Handal forests and the river Kishanganga.³⁴ These plans, too, did not translate into an agreement. In 1972, Prime Ministers Indira Gandhi and Zulfiqar Ali Bhutto may have arrived at an understanding that converting the LOC into the international border was the only way out of the Kashmir conundrum. Bhutto, it is believed, did not want an agreement in black and white since he "wanted time" to prepare his people for the "deal." The Pakistanis, Bhutto claimed, had been traumatized by their defeat in the 1971 war and the dismemberment of Pakistan. Bhutto reneged on this understanding within months. Most of Indira Gandhi's advisors, however, knew about the secret agreement. While her secretary, P. N. Dhar, has written about it, her closest advisor during that period, P. N. Haksar, was aware of it as well.³⁵

History apart, there are at least four reasons why converting the LOC into the international border is still considered the most practical solution to the Kashmir issue. First, a solution to the Kashmir problem cannot be provided on the basis of absolutes. Absolute victory is not possible for either India or Pakistan. It is unrealistic for New Delhi or Islamabad to imagine that it can, with either force or diplomacy, reunify the whole of Jammu and Kashmir. Similarly, Islamabad, too, must realize that neither war nor support for insurgencies or international pressure will force New Delhi to give up the provinces of Jammu, Kashmir, and Ladakh. Second, rewriting boundaries in South Asia will have disastrous consequences for the region. Apart from displacing huge populations, it could lead to communal clashes bloodier than those during the partition of India. Third, the present LOC corresponds, more or less, to a broad ethnic-linguistic division within the former princely state. Finally, the two regions have lived as a part of India and Pakistan for more than half a century. Although they have grievances against their respective leaderships, there has been a cumulative process of integration that will be extremely difficult to reverse. It is difficult to imagine how the existing economic and communication links can be

done away with without causing tremendous upheaval. Conversion of the LOC does not mean continuation of hostilities. If India and Pakistan were to see the sense in such an idea, both New Delhi and Islamabad could work toward converting the territory around the LOC into a demilitarized zone. Gradually, there could be a resumption of trade, free passage of goods and visa less travel for Kashmiris across the divide, and both Kashmiris would enjoy autonomy within India and Pakistan.³⁶

Conclusion

This article has suggested that a new opportunity for peace exists in Kashmir. The government of India has taken a few steps to tap the growing Kashmiri sentiment against violence and to strengthen the constituency for peace. Bringing peace to Kashmir, at least at this stage, should not be about goals but about gradually creating a process in which all the main dramatis personae have a stake and one that cannot easily be derailed by those profiting from the conflict. More important, if New Delhi's new Kashmir policy is indeed part of a larger strategic rethink on Kashmir, and not merely a tactical maneuver, it would suggest that plural democracies like India that are increasingly integrated with the global economy, but with a strong trend toward political and economic decentralization, will eventually develop imaginative processes and mechanisms to address separatist problems. The ambition to be a player in the international system, within a relatively friendly power structure, can often help provide momentum to what might otherwise have been a sluggish process. But, as any enthusiast of chess would know, endgames can be extraordinarily deceptive. What may seem like a winning situation can quite easily turn into a stalemate or even defeat.

NOTES

1. Joseph E. Schwartzberg, Professor of Geography and South Asian Studies at the University of Minnesota, in an unpublished paper, has compiled a comprehensive list of proposals for resolving the Kashmir dispute. These include proposals put forward from the 1940s to the end of the 1990s.
2. Atal Behari Vajpayee, "My musings from Kumarakom - I: Time to Resolve Problems of the Past," reproduced in *The Hindu* (Chennai), January 2, 2001.
3. By April 2000, most of the leadership of the Kashmiri separatist alliance, the All Party Hurriyat Conference (APHC) had been released and during August 2000 there had been an unsuccessful effort to convert the short-lived offer of a ceasefire by a prominent militant group, the Hizb-ul-Mujhaideen, into a peace process.
4. For details of the opposition conclave see Sati Sahni, *Centre-State Relations* (New Delhi:

- Vikas Publishing House, 1984). Basu is a leader of the Communist Party of India (Marxist) and a former Chief Minister of the Indian state of West Bengal; Gujral and Chandrashekhar are former Prime Ministers; and Badal is a leader of the Akali Dal, which is part of the ruling National Democratic Alliance.
5. There are, of course, elements within the "Sangh Parivar," to which BJP owes ideological allegiance that are still demanding a scrapping of Article 370 of the Indian constitution that confers special status on J&K and the state's full integration within India. However, there are few within the core of the ruling National Democratic Alliance (of which BJP is the dominant partner) that share this view. Significantly, the common minimum program of the National Democratic Alliance did not include scrapping of Article 370 as part of its agenda, despite it being a part of the BJP's manifesto in earlier elections.
 6. A thorough plan for restructuring center-state relations is provided in the Justice Sarkaria Commission Report, 1988. The National Agenda for Governance of the ruling NDA states that "there is a clear case for devolution of more financial and administrative powers and functions to the states." It further says that "suitable steps will be taken to ensure harmonious Centre-State relations in the light of the recommendations of the Sarkaria Commission."
 7. The most comprehensive account of J&K's special status and the gradual erosion of autonomy is provided in Adarsh Sein Anand, *The Development of the Constitution of Jammu and Kashmir* (New Delhi: Light and Life Publishers, 1980).
 8. The Indian Ninth Plan Document, 1997-2002, produced by the Planning Commission of India, offers a narrow but a useful definition of cooperative federalism. According to the document: "In a vast country like ours, the spirit of co-operative federalism should guide the relations between the Centre and the States on the one hand, among different States and between the States and the Panchayati Raj Institutions (PRIs) and the Urban Local Bodies (ULBs) on the other. The essence of co-operative federalism is that the Centre and the State Governments should be guided by the broader national concerns of using the available resources for the benefit of the people. Co-operative federalism encourages the Government at different levels to take advantage of a large national market, diverse and rich natural resources and the potential of human capabilities in all parts of the country and from all sections of the society for building a prosperous nation. Co-operative federalism makes it possible to raise all the available resources by the Government at different levels in a co-ordinated way and channel them for use for the common good of the people. This requires a harmonious relationship and co-operative spirit between the Centre and the States and among the States themselves. While a healthy competition among the States for evolving efficient and socially desirable policies and programs is welcome, any competition which nullifies each other's advantages in development and erodes the resource base of the States should be avoided. Co-operative federalism is intended to ensure a minimum bundle of basic services and a nationally acceptable level of living for all the people of the country." The document can be accessed at www.nic.in/ninthplan/vol1/vlc6-1.htm.
 9. In 1997, the Delhi Policy Group, an Indian think-tank set up an independent study group to recommend measures to restore normalcy in Jammu and Kashmir. The members of the group were Kanti Bajpai, Dipankar Banerjee, Salman Khurshid, Amitabh Mattoo, Arun Verma, and B. G. Verghese. See the group's report: *Jammu and Kashmir: An Agenda for the Future* (New Delhi: Delhi Policy Group, 1999). This section draws heavily from recommendations made in this report.
 10. This plan does not suggest measures to ensure financial autonomy for Jammu and Kashmir. This was the mandate of the Godbole Committee, which was established by the state government in 1997, but its recommendations have not been made public.
 11. The most incisive account of New Delhi's follies is provided in many of the writings by the Jammu-based political analyst and activist Balraj Puri. See, for instance, *Kashmir*

- Towards Insurgency* (New Delhi: Orient Longman, 1993); and his earlier *Jammu and Kashmir: Triumph and Tragedy of Indian Federalism* (New Delhi: Sterling Publishers, 1981). For readable journalistic accounts see Ajit Bhattacharjee, *Kashmir, The Wounded Valley* (New Delhi: UBS Publishers and Distributors, 1994); and Tavleen Singh, *Kashmir: A Tragedy of Errors* (Viking: New Delhi, 1995). For a recent sophisticated critique, see Sumit Ganguly, *The Crisis in Kashmir*.
12. There are few scholarly book-length accounts of Kashmir's syncretic culture. However, there are a few thoughtful articles on the subject: See, for instance, T. N. Madan, "Meaning of Kashmiriyat: Cultural Means and Political Ends," in Gul Mohd Wani, ed., *Kashmir: Need for Sub-Continental Political Initiative* (New Delhi: Ashish Publishing House, 1995), pp. 65-73. Riyaz Punjabi's essay, "Kashmir: The Bruised Identity," in Raju G. C. Thomas, ed., *Perspectives on Kashmir: Roots of Conflict in South Asia* (Boulder, CO: Westview, 1992), pp. 131-52; and Balraj Puri, "Kashmiriyat: The Vitality of Kashmiri Identity," *Contemporary South Asia*, March 1995, pp. 45-63. An idealized view is presented in P. N. Razdan's *Jewels of Kashmiri Literature and Kashmiriyat* (New Delhi: Samkaleen Prakashan, 1999).
 13. Sections of the Rashtriya Swayam Sangh, the Jammu-based Jammu Mukti Morcha and the Ladakh Buddhist Association are leading the campaign for this demand.
 14. Dixon Report to the UN Security Council, S/1791, September 15, 1950.
 15. For details of the Praja Parishad agitation see Balraj Madhok, *Portrait of a Martyr: Biography of Shyama Prasad Mookerji* (Bombay: Jaico Publishing House, 1969).
 16. For a scholarly study of Kashmir's different "identities" and feelings of deprivation among non-Kashmiri-speaking groups, see Navnita Chadha Behera, *State, Identity & Violence: Jammu, Kashmir, and Ladakh* (New Delhi: Manohar Publishers & Distributors, 2000).
 17. Government of Jammu and Kashmir, *Regional Autonomy Committee Report* (Jammu: Ranbir Govt. Press, 1999).
 18. Government of Jammu and Kashmir, *Report of the State Autonomy Committee* (Jammu: Ranbir Govt. Press, 1999).
 19. Kashmir Study Group, *Kashmir: The Way Forward* (New York: February 2000). Members of the group include US Congressmen, Robert G. Torricelli, Gary L. Ackerman, James A. Leach, former Ambassadors, Harry Barnes, Robert B. Oakley, Nicholas Platt, Howard B. Schaffer, Teresita C. Schaffer, Philipps Talbot, and the following academics and policy analysts: Marshall Bouton, Chester Crocker, Ainslee T. Ambree, Robert L. Hardgrave, Rodney W. Jones, Charles H. Kennedy, Citha D. Maass, Barbara D. Metcalf, Leo Rose, Joseph E. Schwartzberg, George Tanham, David Taylor, Thomas P. Thornton and Robert G. Wirsing.
 20. For details of the international reactions, particularly the US response to the Kargil war see Kanti Bajpai, Afsir Karim, and Amitabh Mattoo, eds., *Kargil and After: Challenges for Indian Policy* (New Delhi: Har-Anand, 2001).
 21. See, for instance, Jessica Stern, "Pakistan's Jihad Culture," *Foreign Affairs* (October-December 2000).
 22. Interview with former Indian Foreign Secretary, off-the-record, New Delhi, May 15, 2000.
 23. Of particular significance was President Clinton's speech in Pakistan during his visit to South Asia in March 2000. Clinton called upon Islamabad to create conditions for a dialogue with New Delhi, stop trying to "redraw" borders with blood and stated that the US will not negotiate the Kashmir dispute. He also said: "When I was in New Delhi, I asked India to seize the opportunity for dialogue. Pakistan also must create conditions that will allow dialogue to succeed. For India and Pakistan, this must be a time for restraint, for respect of the Line of Control and renewed lines of communication ... I have listened carefully to Gen. Musharraf and others. I understand your concern about Kashmir. I share your convictions that human rights of its entire people must be

- respected. But a stark truth must also be faced – there is no military solution to Kashmir. International sympathy, support and intervention cannot be won by provoking a bigger bloodier conflict. On the contrary, sympathy and support will be lost and no matter how great the grievance it is wrong to support attacks against civilians across the LOC.
24. Off-the-record interview with a former Indian Foreign Secretary, March 17, 2000, New Delhi.
 25. These opinion polls have been conducted by two Kashmir-based NGOs, known for their integrity. Unfortunately, the prevailing circumstances in Kashmir do not make it possible to reveal the names of either the NGOs or the personnel who administered the survey instrument. The findings were made available to the author on the condition of strict confidentiality.
 26. Findings based on opinion polls conducted by two Kashmiri NGOs.
 27. The union cabinet's rejection of the autonomy resolution has been interpreted by some as evidence of New Delhi's unwillingness to devolve power to Jammu and Kashmir. However, informed sources within the government made it clear that the rejection was only signaling the dominant belief within the cabinet that the resolution, in its timing and content, was designed to "subvert New Delhi's efforts to initiate a peace process in J&K, which would involve separatists as well and possibly marginalize Farooq Abdullah's National Conference." (Interview with senior Home Ministry Official, July 15, 2001.) In addition, the resolution was based on an autonomy report that was ill thought and poorly drafted. See Government of Jammu and Kashmir, *Report of the State Autonomy Committee* (Jammu: Ranbir Govt. Press, 1999). Also see *The Indian Express* (New Delhi), July 5, 2000 for details of the cabinet rejection.
 28. Conversation with two prominent separatist leaders, September 14, 2002, New Delhi.
 29. This author has attended four of these workshops: three were organized by the Kashmir Foundation for Peace and Development Studies, in Jammu (January 2000) and Srinagar (June and September 2000), and one was organized by the J&K Federation of Civil Society Associations in Srinagar in July 2000.
 30. In recent years a number of proposals have been produced to resolve the conflict over Kashmir. The University of Minnesota academic, Joseph E. Schwartzberg, who is also a member of the Kashmir Study Group, has collated many of these in an unpublished paper. Some of these proposals have been drawn from the essays published in Gul Mohd Wani, ed., *Kashmir: Need for Sub-Continental Political Initiative* (New Delhi: Ashish Publishing House, 1995).
 31. See US Department of State, *Patterns of Global Terrorism, 2000* (Washington, 2001). The report states unambiguously that the Government of Pakistan has "increased its support to the Taliban and continued its support to militant groups active in Indian-held Kashmir, such as the Harakat ul-Mujahidin (HUM), some of which engaged in terrorism." And it adds "Pakistan's military government, headed by Gen. Pervez Musharraf, continued previous Pakistani Government support of the Kashmiri insurgency, and Kashmiri militant groups continued to operate in Pakistan, raising funds and recruiting new cadre."
 32. For details of the Siachen dispute and the demarcation of the LOC see Robert J. Wirsing, *India, Pakistan and the Kashmir Dispute: On Regional Conflict and its Resolution* (New York: St Martin's Press, 1994).
 33. *The Hindustan Times* (New Delhi), May 27, 1955.
 34. See Y. K. Gundevia, *Outside the Archives* (Hyderabad: Orient Longman, 1984). Also see Jyothi Bhushan Das Gupta, *Jammu and Kashmir* (The Hague: Martin Nijhoff, 1968).
 35. P. N. Dhar, *Indira Gandhi, the "Emergency" and Indian Democracy* (Delhi: Oxford University Press, 2000). Haksar disclosed this to the author, May 15, 1994, New Delhi. Most Pakistani historians, however, do not accept this version of the events of Shimla. Benazir Bhutto, who was present at Shimla with her father, also rejects that there was "secret understanding" between Prime Ministers Bhutto and Gandhi.

36. This, of course, closely resembles the short-lived agreement between Italy and Yugoslavia over Trieste in the days after the Second World War, and has – over the years – been recommended as "a way out" by several analysts. See, for instance Selig Harrison, "South Asia and the United States: A Chance for a Fresh Start," *Current History*, Vol. 91, No. 563 (March 1992), pp. 97–105; and Kuldip Nayar, "Kashmir: A Way Out", *The Hindustan Times* (New Delhi), July 15, 1992. Also see B. G. Verghese, "The Fourth Option", *The Hindustan Times*, March 25, 1993.

Pakistan's Endgame in Kashmir

HUSAIN HAQQANI

Kashmir runs in our blood. No Pakistani can afford to sever links with Kashmir. The entire Pakistan and the world know this. We will continue to extend our moral, political and diplomatic support to Kashmiris. We will never budge an inch from our principled stand on Kashmir.

(General Pervez Musharraf, address to the Nation, January 12, 2002)

We wish to state once again that Jammu and Kashmir is an integral part of India. It will remain so ... For us, Kashmir is not a piece of land; it is a test case of Sarva Dharma Samabhava – secularism. India has always stood the test of a secular nation. Jammu and Kashmir is a living example of this.

(Prime Minister Atal Bihari Vajpayee, Independence Day address, August 15, 2002)

India and Pakistan are home to over a billion people, accounting for one-fifth of the world's population. They share a legacy of mutual mistrust, dating back to the subcontinent's partition in 1947, which resulted in the creation of Muslim-majority Pakistan and Hindu-majority India.

For Pakistan, the very act of partition was the recognition of the existence of two nations in India, Hindus and Muslims. Two nations, who were so fundamentally different from each other in all respects that they could not exist in a single territorial unit. Therefore, the partition of India recognized this incompatibility by dividing along communal lines.¹

India, on the other hand, opted for state-building on the basis of secular nationalism and pluralism.² These contradictory ideas about statehood divided the elite in pre-partition India and their arguments have influenced the conduct of both states. Like partners in a bitter divorce, India and Pakistan accuse each other of undermining their

existence and interests. And like many divorcees they have a custody battle to resolve: the question of who will control Kashmir, the beautiful region in the Himalayas that abuts both India and Pakistan.

The majority of Kashmir's population is Muslim but its Hindu ruler at the time of independence announced its accession to India. Pakistan contests that accession, has been willing to use force to undo it, and demands the implementation of United Nations resolutions calling for a plebiscite to determine the wishes of Kashmiri people. Pakistan assumes that a plebiscite will result in a vote in its favor, based on the logic of partition that led to all contiguous Muslim-majority provinces and princely states under British rule or paramountcy in India to form Pakistan in 1947.³ India insists that Kashmir's accession is not only a settled matter, unaffected by "out-dated and redundant" UN resolutions, it is also crucial for a secular India to include a Muslim-majority state.⁴ For Pakistan, giving up Kashmir means denying the ideological basis of partition. Affirming that ideological basis remains important for Pakistan's leaders more than five decades after partition because, in the absence of democracy, ideology is their major defense against ethnic or language-based subnationalism. For India, conceding Kashmir amounts to reaffirming religious-based nationalism, which Indian leaders opposed even when they recognized Pakistan's independence.

Pakistan was born in an environment of insecurity and its political leadership was inadequately prepared to run an independent state. As former Pakistani Foreign Minister Abdul Sattar explains:

The partition plan of 3 June 1947 gave only seventy-two days for transition to independence. Within this brief period, three provinces had to be divided, referendums organized, civil and armed services bifurcated, and assets apportioned. The telescoped timetable created seemingly impossible problems for Pakistan, which, unlike India, inherited neither a capital and government nor the financial resources to establish and equip the administrative, economic and military institutions of the new state. Even more daunting problems arose in the wake of the partition. Communal rioting led to the killing of hundreds of thousands of innocent people. A tidal wave of millions of refugees entered Pakistan, confronting the new state with an awesome burden of rehabilitation.⁵

Communal riots and mass migration of populations had affected both newly independent countries. But the process of state formation in Pakistan was affected far more by these developments than in India, which was not starting from scratch like the new state. Migrant politicians and civil servants, embittered by the carnage of fellow Muslims they witnessed on their way to their new country, dominated the Pakistani administration. In the passion of the moment, it was difficult for them to acknowledge that similar suffering had befallen Hindus and Sikhs driven out of Pakistan. They blamed India, referred to in official Pakistani communications of the time as "Hindustan," for their suffering.⁶ Hatred for India, therefore, became a dominant sentiment, as did the feeling that the British and the new Indian government had tried to undermine Pakistan's creation. This sentiment was also strong in the military, which was one institution that Pakistan inherited with sufficient infrastructure.⁷

India's decision to delay transferring Pakistan's share of assets increased the bitterness of partition. Mohandas Gandhi recognized the dynamic that was driving India-Pakistan relations when he went on a fast in January 1948 and demanded that Pakistan's share of the assets be paid.⁸

Given the circumstances and nature of partition, Pakistan's policies in several areas were ad hoc and driven by immediate concerns or sentiments. Although Pakistani leaders often describe the dispute over Kashmir as the "core issue" between the two countries,⁹ Pakistan's approach to its resolution has been characterized by a series of tactical moves, lacking a coherent strategy or a planned endgame.

Conflict with India, and suspicions about its intentions, have become a critical factor in defining Pakistani nationhood. Pakistani leaders, therefore, punctuate their emphasis on the resolution of the Kashmir issue with fears of Indian (or Hindu) domination. This argument, that India wants a "subservient Pakistan," means that Kashmir is a symptom rather than the fundamental cause of Pakistan's troubled relationship with India. Pakistani author, Dr. M. M. R. Khan, made this argument within the first few years after partition:

For Pakistan Kashmir has come to embody distrust and fear of India, an aftermath of partition. Pakistani statesmen say that India did not accept the partition of India in good faith and that, by taking piecemeal, she could undo the division. India's acceptance of

Kashmir's accession is regarded as complete evidence of this fact. Instances are not lacking in which Indian leaders, including those belonging to the Congress party, have made no secret of their desire to undo the partition. In the course of an interview with an American newspaper in 1951 Mrs. Vijay Lakshmi Pandit, the then Indian Ambassador to the United States, predicted that India and Pakistan would become one nation. 'We agreed to partition,' she said, 'because failure to do so would have perpetuated foreign rule.'

Pakistan's fear is that India will continue to keep a strong grip over Kashmir and will not agree to any just solution.¹⁰

Pakistan's First Move on Kashmir

The conflict over Kashmir began soon after independence, and Pakistan's decision to allow (or as some would argue, plan) a tribal invasion of the state of Jammu and Kashmir was the first ad hoc decision that carried over the pre-partition divide into the post-independence phase.

Kashmir was one of 562 princely states to retain varying degrees of administrative independence through treaties with Britain concluded during the process of colonial penetration. The treaty relationships conferred 'paramountcy' on the British and, in most cases, control over defense, external affairs, and communications. The end of the Raj also marked the end of paramountcy. The British asked the rulers of these states to choose between India and Pakistan, taking into consideration geographical contiguity and the wishes of their subjects.¹¹

Although Kashmir is the only outstanding dispute resulting from the accession exercise, there were other arguments involving the princely states at the time. Pakistanis and Indians, as well as scholars from other countries, have written much on the subject of Kashmir's accession and whether or not it was legally or morally justified. But in 1947 both new states were willing to invoke conflicting arguments to secure the accession of different princely states to their dominion. Pakistan accepted the accession of Muslim-ruled Junagadh in western India. But it sought the accession of Hyderabad in southern India, despite the majority Hindu populations and the lack of contiguity with Pakistan. India, on the other hand, held that "a principality's people, whether Hindus or Muslims, were the final arbiters" and "On this basis, India supported popular movements for joining India in Junagadh, whose

ruler had acceded to Pakistan, and in Hyderabad, where the ruler desired independence."¹² By the time Kashmir became a point of dispute, neither side could claim consistency in its approach to settling the future of the princely states.

Kashmir's contiguity with Pakistan and its Muslim majority created the expectation of its inclusion in the new Muslim country. But the state's ruler at the time of partition, Maharajah Hari Singh, sought to retain independence even though a segment of his Muslim subjects wanted Kashmir to become part of Pakistan.¹³ It has been argued that Indian Prime Minister, Jawaharlal Nehru, had thought through a grand strategy for the princely states, including a design to ensure the inclusion of Jammu and Kashmir in the independent Indian state.¹⁴ Most Pakistani leaders and scholars, as well as some Western authors, have also implicated the last British Viceroy, Lord Mountbatten, and members of his staff in the "conspiracy" to draw the boundary so that Kashmir would abut both India and Pakistan. Under the partition plan, the province of Punjab was to be divided between India and Pakistan on grounds of contiguity and majority religious affiliation. Two Muslim majority *tehsils* (subdivisions) in Gurdaspur district were awarded to India by the boundary commission led by British judge Sir Cyril Radcliffe. This provided overland access to Kashmir from India.¹⁵ Had the map of the Punjab been drawn differently Kashmir could have ended up with road access only to Pakistan and a natural mountainous frontier with India. This would have precluded any effective Indian claim on the princely state.

The chaotic state of government in the newly born state of Pakistan left little room for planning grand strategy. Pakistanis felt cheated over the Boundary Commission award. There was concern about the future of Kashmir as well, which was addressed by supporting the pro-Pakistan All Jammu and Kashmir Muslim Conference that led an agitation against the Maharajah.¹⁶ Pashtun tribesmen entered Kashmir, with support from Pakistani military officers. The fact that a British general headed the new Pakistani army limited the scope for a declaration of war against the ill-equipped forces of a British-allied Maharajah.

Pakistan's first move in Kashmir was an unconventional war, started on the assumption that the Kashmiri people would support the invading tribal *lashkar* and that the Maharajah's forces would be easily subdued. Little, if any, thought had been given to the prospect of failure or to what might happen if the Indian army got involved in forestalling a Pakistani *fait accompli* against the Kashmiri Maharajah.

Maharajah Hari Singh sought Indian military help and signed the instrument of accession with India to secure military assistance.¹⁷ Prime Minister Nehru sent in Indian troops to fend off the Azad (Free) Kashmir forces. Pakistan disputes Hari Singh's accession, arguing that it was not the result of a voluntary decision and that he was competent to accede to India having earlier signed a standstill agreement with Pakistan.¹⁸

The Indian army secured the capital, Srinagar, and established control over the Kashmir valley and most parts of Jammu and Ladakh before a UN-sponsored ceasefire. The critical consequence of the 1947-48 war and the subsequent ceasefire was to confer upon India the role of a status quo power, holding most of the population and significant territory of Jammu and Kashmir state, including its capital, Srinagar.

Second Move: Legal Arguments

Pakistan's nation-building enterprise faced serious difficulties, compounded by the perception that India wanted to undo partition at the first available opportunity. Signs of resentment in Pakistan's eastern wing had started surfacing, primarily due to the domination exerted by west Pakistanis and Urdu-speaking Muslim migrants from India.¹⁹ Pakistani leaders saw this as an Indian conspiracy to divide their country. National security, primarily against India, became a national preoccupation.²⁰ Indian leaders failed to induce a sufficient sense of security in their new neighbor, thereby aggravating a sense of permanent rivalry similar to that between the Arabs and the Israelis or the Greeks and the Turks. The Pakistani view is best summarized by Abdul Sattar's comment:

Tension between Pakistan and India at their inception was ascribable partly to a difficult and divisive legacy, the clash of political aims and ideologies between the Muslim League and the Indian National Congress, differences of religions and cultures between the two nations and adversarial perceptions of history. But having agreed to the partition, the two independent states could have lived as good neighbors. The perpetuation and exacerbation of antagonism is owed to the dispute that arose after the two states became independent and, in particular, to the failure to resolve the disputes on the basis of international law and justice.²¹

The cold war environment presented Pakistan with an opportunity to seek advantage by using its strategic location. Within two years of independence, Pakistan's leadership had allied itself firmly with the United States in the hope of securing financial and military assistance that would help the new nation get on its feet. The support of Western allies, then dominant in the United Nations, also encouraged Pakistan to pursue its case over Kashmir through the international forum.²²

Pakistan did not have a favorable on-ground situation in Kashmir after the 1948 war. But it secured international sympathy and support for its position. While it was India that originally went to the UN to get Pakistani tribal forces to vacate Kashmiri territory, Pakistan saw itself as the potential beneficiary of international involvement. The UN Security Council established its Commission for India and Pakistan (UNCIP) through its resolution of April 21, 1948, and called for a plebiscite to ascertain the wishes of the Kashmiri people. The Commission itself adopted a more elaborate and detailed resolution on August 13, 1948, outlining a plan for a ceasefire, a truce agreement, and the proposed plebiscite. The notion of a plebiscite was reiterated in another Commission resolution on January 5, 1949, after the Security Council nominated Chester W. Nimitz as Plebiscite Administrator on March 14, 1950.

While Pakistan appealed to international opinion, arguing that the Kashmiris had a right to self-determination, India was busy consolidating its control over parts of the state it had secured in the first Kashmir war. Like lawyers engaged in complex litigation, Indian diplomats managed to find reasons for not implementing the UN resolutions. Pakistan believed India was deliberately stalling, a position supported at the time by significant segments of international opinion.²³ India sought to bypass the UN by claiming Pakistan was not fulfilling its obligations. Nehru decided to legitimize Maharajah Hari Singh's controversial accession with the support of Kashmir's most important political leader at the time, Shaikh Abdullah, and his All Jammu and Kashmir National Conference. The UN Security Council resolution of March 30, 1951 expressly rejected the convening of a Constituent Assembly by the National Conference as a substitute for a plebiscite, but India went ahead with the process any way. Once the Jammu and Kashmir Constituent Assembly had ratified the accession, and the Indian constitution had been amended to make special provision for Jammu and Kashmir, India started asserting that Jammu and Kashmir was an integral part of the Indian Union.

Throughout the 1950s and until 1965, Pakistan focused on mobilizing international support for its demand for a plebiscite.²⁴ Although the need for implementation of UN resolutions became the main Pakistani argument during this period, the underlying sentiment that Pakistan was incomplete without Kashmir carried over. Pakistan's Foreign Minister, Zafarulla Khan, told the United Nations:

Look at it then, from any point of view that you choose. India is under no necessity or compulsion to require or to need the accession of Kashmir to itself. India has merely entered upon a gamble. If it succeeds in that gamble, it can crush and break Pakistan and that is the object of that gamble. It does not require Kashmir from the point of view of any necessities. The possession of Kashmir can add nothing to the economy of India. On the other hand, it is vital for Pakistan. If Kashmir should accede to India, Pakistan might as well, from both the economic and the strategic points of view, become a feudatory of India or cease to exist as an independent sovereign State. That is the stake of the two sides; these are the considerations.²⁵

Several reasons were listed by Pakistani scholars and diplomats to explain why Pakistan deemed Kashmir "vital" for its economy, the foremost being that it was the source of most rivers flowing into the (then) western wing of the country. Kashmir, it was argued, offered Pakistan access to mineral wealth and timber. Its "potentialities for large scale hydro-electric power plants, which are also indispensable for industrialization and for raising the living standards of its inhabitants and Pakistan" was also cited.²⁶ But the passage of time has diminished the significance of these "Kashmir-is-vital-for-Pakistan's-economic-survival" arguments. There has been no threat to the flow of river water into Pakistan despite Indian control of Kashmir, nor has the lack of access to the state's resources impeded Pakistan's economic growth. On the contrary, the case can now be made that the cost of pursuing the claim over Kashmir, especially through ever-increasing military expenditure, far exceeds any economic benefits Pakistan might get by extending its sovereignty over all of Kashmir.

Despite enhanced diplomatic and security capabilities resulting from its alliance with the United States, Pakistan was unable to pressure India into giving up its claim on Kashmir. The UN Security Council

reminded both India and Pakistan, through a resolution on January 24, 1957, that "the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations." From 1964 onward the possibility for Pakistan to obtain favorable resolutions from the Security Council had diminished because India had developed sufficiently close ties with the Soviet Union to ensure that resolutions calling for a plebiscite or condemning India's violation of commitments to the United Nations were vetoed.

Trying to Break the Stalemate

Pakistan's hopes of forcing a plebiscite through the United Nations had ended in a stalemate. In the summer of 1961, Pakistan's first military ruler, Ayub Khan, sought help from President John F. Kennedy to intercede with Nehru. Kennedy discussed the issue with the Indian Prime Minister during his visit to Washington in November 1961. According to Sattar, "Nehru ruled out any solution other than one based on the ceasefire line."²⁷ India had obviously worked out its endgame in Kashmir. It was willing to settle on apportioning the former princely state on the basis of actual control of territory resulting from the 1948 war. As the status quo power in the Kashmir valley, this solution suited India but was unacceptable to Pakistan.

Pakistan tried to change the status quo by sending infiltrators across the ceasefire line in 1965. This operation ensued following unrest in the Kashmir valley, and it raised hopes among Pakistani decisionmakers that trained infiltrators could mobilize a mass uprising against Indian rule. Earlier that year Indian and Pakistani troops had clashed in the southern Kutch region. That crisis was defused through British mediation, leading to arbitration by international tribunal. But there was no sign of an Indian willingness to accept mediation or arbitration over Jammu and Kashmir. The infiltration of volunteers, known as "Operation Gibraltar," was followed by a Pakistani attack at the southern end of the ceasefire line. The Pakistani plan rested on two assumptions, neither of which was fulfilled. There was no mass uprising in Indian-controlled Kashmir and military action did not remain confined to the ceasefire line.

The September 1965 war was fought along the full length of Pakistan's border with India, in addition to the ceasefire line in

Kashmir. The war failed to bring Pakistan any territorial gains in Kashmir and showed the flawed nature of Pakistani decisionmaking in relation to India. Altaf Gauhar, a close civilian advisor to Ayub Khan at the time, wrote several years later that the Pakistani military had initiated the conflicts of 1948 and 1965, as well as subsequent military confrontations, with India. According to Gauhar, "all these operations were conceived and launched on the basis of one assumption: that the Indians are too cowardly and ill-organized to offer any effective military response, which could pose a threat to Pakistan. Ayub Khan genuinely believed that 'as a general rule Hindu morale would not stand more than a couple of hard blows at the right time and place'."²⁸

The 1965 military adventure was followed by a Peace Conference at Tashkent, the first time the Soviet Union took the initiative as intermediary in South Asian affairs. Pakistan had been disillusioned by the failure of its ally, the United States, to support it in the effort to gain territorial advantage in the dispute over Kashmir. Instead of gaining something for Pakistan, Ayub Khan had to settle for a joint declaration that provided for withdrawal of forces and committed India and Pakistan to further meetings "on matters of direct concern to both countries." Pakistanis saw the Tashkent declaration as a setback to their claims over Kashmir.²⁹

In 1971, India and Pakistan clashed once again, this time over Pakistani military atrocities in the country's eastern half. The Bengali population of then East Pakistan successfully resisted West Pakistani military rule and, with India's help, seceded as the independent state of Bangladesh. Pakistan was diminished in size and its military had been routed, leaving some 90,000 Pakistani prisoners of war (POWs) in India's hands.³⁰ To outside observers, the creation of Bangladesh pointed out the weakness of Pakistani nationhood based only on the commonality of religion.³¹ But Pakistan's leaders interpreted it as proof of their worst fears coming true. For them, India had succeeded in dividing Pakistan, making it all the more necessary to shore up the fissures in Pakistan with a strong military, an anti-Indian Islamic ideology, and international support.³²

When the President of residual Pakistan, Zulfikar Ali Bhutto, met Indian Prime Minister Indira Gandhi in June 1972 for peace talks at Simla, it was hardly a meeting of equals. Bhutto had to secure the release of Pakistani POWs from an Indian leader who had humiliated and broken up his country. He pleaded with Gandhi not to insist on

including a final resolution of Kashmir in any bilateral agreement, though from India's point of view this would have been the ideal opportunity to impose a solution and transform the ceasefire line in Kashmir into a final international border. But Gandhi was persuaded by Bhutto's argument that his fragile civilian government would probably be toppled by the Pakistani military, which would accuse him of losing Kashmir in addition to the loss of East Pakistan.³³

The compromise reached by Bhutto and Gandhi was to declare that "the two countries are resolved to settle their differences by peaceful means through bilateral negotiations."³⁴ The ceasefire line was declared the Line of Control (LOC), interpreted by the Indian signatories to suggest that actual control was now synonymous with legal possession. For India, this meant that the phase of international pressure to hold a plebiscite was over and its strategy of settling the Kashmir dispute on the basis of actual control of territory resulting from the 1948 war had virtually prevailed. But Bhutto returned home to claim that he had saved Pakistan from the ultimate humiliation of completely giving up its claim on Kashmir. Once again, Pakistan had succeeded in maintaining grounds for conflict with India by leaving the Simla agreement open to interpretation. Ironically, after three more decades of conflict, the ambiguity of the Simla agreement is currently being criticized in both India and Pakistan.³⁵ But at the time Indian leaders thought they had attained closure over Kashmir by securing a Pakistani commitment not to try and alter the status quo by force. The Indian side could not envision how their control over Kashmir could be altered without the use of force or the involvement of other parties.

Military Rule and Militancy

After the 1971 military humiliation, Pakistan reverted to civilian rule that lasted five years. Under direct military rule (1958-71), military bias in favor of conflict with India had been apparent, as had the view that Pakistan could and should compete militarily with India.³⁶ These perceptions did not change under civilian rule. The US Ambassador to Islamabad informed Washington that Bhutto "was convinced that India had, at least up to the ceasefire offer, nurtured the definite intention of liquidating West Pakistan."³⁷ Having laid down arms in East Pakistan on December 16, 1971, Pakistan was seeking arms and closer military cooperation from the United States by February 17, 1972. Once the

military's capability had been rebuilt, Pakistan had reverted to martial law in 1977.

To compete with India, Pakistan raised and currently maintains a huge standing army of more than a half-million troops at the expense of social and economic development. While a great majority of its 140 million people live in abject poverty, Pakistan has diverted scarce resources toward building and maintaining nuclear weapons, which it tested in 1998. It has also developed a missile program aimed at ensuring military advantage against India. This competition with India has made Pakistan's military stronger than other national institutions and independent of civilian control. The military has ruled directly for more than half the country's post-independence existence and exerts tremendous influence over all spheres of national policy. It opposes normalization of relations with India and needs conflict to justify its preeminence.

The Pakistani military refuses to cede power and authority to civilians, in part to ensure its large share of national expenditure. The army justifies this role by perceiving and projecting India as an eternal, existential threat.³⁸ Given the army's power and disposition to intervene in politics, civilian leaders cannot realistically pursue accommodation with India or reassign national resources to development. India's own obsessively anti-Pakistan (or, in the context of Indian domestic politics, anti-Muslim) interest groups appear to validate the arguments of the more aggressive elements in the Pakistani military establishment, fueling the unending conflict.

The Pakistani military saw the bifurcation of Pakistan as the result of collaboration between secular nationalists in Bangladesh and India. This led to the belief that Islamists were the most dependable political allies of the Pakistani state, especially in resisting Indian ascendancy in South Asia. After the military debacle of 1971, accelerated by the hostility of a population mobilized on ethnic grounds, Pakistan's military leaders started looking upon Islamic militants as an instrument of regional influence.³⁹ The policy of backing Islamic militants was encouraged and funded by the US during the anti-Soviet resistance in Afghanistan. While Pakistan served as the launch-pad for the anti-Soviet Mujahideen resistance from 1979 to 1988, Pakistan's military ruler, General Ziaul Haq was already contemplating transferring the skills of covert operations learnt in Afghanistan to a "liberation struggle" in Kashmir.

Years of misrule and meddling from New Delhi, and a rigged state election in 1987, provided Pakistan the opportunity to fish in troubled Kashmiri waters once again. Protests and agitation started in Indian-controlled Kashmir, initially without any outside instigation. Large segments of the Kashmiri population embraced the slogan of "Azadi" (liberation or freedom). India dealt with the situation with an iron hand and deflected criticism of its human rights violations by blaming Pakistan. But, as Victoria Schofield points out:

The grievances amongst the Kashmiris, which had been allowed to fester, the steady erosion of the 'special status' promised to the state of Jammu and Kashmir in 1947, the neglect of the people by their leaders, were clearly India's responsibility. Tavleen Singh believes that Kashmir would not have become an issue 'if the valley had not exploded on its own thanks to Delhi's misguided policies'. Over a period of time, 'the LOC would have been accepted as the border and we could have one day forgotten the dispute altogether'. Instead, as the decade of the 1980s drew to a close, the valley of Kashmir became 'the explosive situation' of which Shaikh Abdullah had so often warned.⁴⁰

Pakistan started by supporting insurgents from within Jammu and Kashmir and over a decade inducted committed Islamists from its own territory and from other Islamic countries into the valley. In its initial phase, India's official response to the militancy, characterized by brutality, increased alienation of Kashmiris and damaged India's international prestige. Having prided itself on being the world's largest democracy, India was now confronted with charges of being a major human rights violator. An example of the typical critique by human rights organizations is this extract from the Amnesty International 1992 report:

Widespread human rights violations in the state since January 1990 have been attributed to the Indian army, and the paramilitary Border security Force (BSF) and Central Reserve police force (CRPF) ... Cordon-and-search operations are frequently conducted in areas of armed opposition activity ... Torture is reported to be routinely used during these combing operations as well as in army camps, interrogation centers, police stations and prisons. Indiscriminate beatings are common and rape in particular appears

to be routine ... In Jammu and Kashmir, rape is practiced as part of a systematic attempt to humiliate and intimidate the local population during counter-insurgency operations.⁴¹

But Pakistan could draw little comfort from the criticism of India over human rights violations, as there was still no pressure on India to give in to Pakistan's demand for a plebiscite. The international community still did not see Kashmir as an issue of self-determination, as Pakistan desired, and after the first few years condemnation of Islamabad over its support to the militants outweighed international pressure on India to address the Kashmiris' concerns. The militancy tied down large numbers of Indian troops in counterinsurgency operations, which Pakistan's military planners saw as a success in itself. But other than that, there was no visible Pakistani strategy for a resolution to the Kashmir conflict.

Pakistan's Kashmir policy remained in the hands of the military even when civilian Prime Ministers held office between 1988 and 1999. Prime Minister Nawaz Sharif, a businessman, elected on an anti-Indian platform with the military's backing in 1990, realized that the confrontation with India was costing Pakistan economically. He initiated back-channel diplomacy to explore alternatives to the deadlocked positions of both sides. In 1991 he even told an Iranian journalist during a visit to Teheran that Pakistan was willing to consider the option of an independent Kashmir if India would rescind its position that Kashmir's status could not be negotiated. But he backed off from his statement within twenty-four hours of its being made.⁴² Sharif and his political rival Benazir Bhutto competed for popular support and military backing by making forceful statements in public over Kashmir, though Bhutto expressed regret over her hawkish position during a visit to India in 2001.⁴³

The greatest damage to normalizing relations between the two states was caused in 1999, soon after Indian Prime Minister Vajpayee made his trip to the historic city of Lahore in February. Pakistan and India had both tested their nuclear weapons the year before and international economic sanctions imposed on both countries were especially hurting Pakistan, which had the weaker economy. Having been elected as a hawk on Kashmir and having become the leader who had made Pakistan's nuclear weapons capability public, Nawaz Sharif felt confident that any deal he made with Vajpayee would not be

described as a sellout by his critics. For his part, Vajpayee – a Hindu nationalist – agreed to visit the site in Lahore where the demand for Pakistan was first officially made in 1940, as a symbolic acknowledgment of India's recognition that Pakistan could not and should not be undone.

Vajpayee and Sharif agreed on a number of confidence-building measures and the visit generated euphoria about the possibility of a serious and long-term thaw in India-Pakistan relations. But by May, Indian and Pakistani troops were fighting on the heights of Kargil, along the northern reaches of the line of control. The Pakistani military had executed a "brilliant tactical maneuver" that gave it advantage over the Srinagar-Leh highway, a crucial artery in India's transportation network within Kashmir. To this day there is debate in Pakistan over whether Sharif and his civilian advisors had prior knowledge of the operation or not.⁴⁴ But the operation destroyed the confidence-building initiated during Vajpayee's Lahore visit. As its troops were forced by a combination of international diplomatic pressure and an Indian counteroffensive, Pakistan learnt the hard way that brilliant tactics do not always translate into strategic success. As a former Pakistan Air Force Chief and hero of the 1965 war, Air Marshal Nur Khan, pointed out later: "We should have known that India will not be bogged down in Kargil and could extend the war to other fronts. We should have also known that the international community would not support such covert operations."⁴⁵

The Kargil misadventure also had significant fallout in domestic Pakistani politics. Sharif tried to remove General Pervez Musharraf, the architect of Kargil, from his position as army chief and was himself removed from office in a coup d'état. Musharraf, with his tactical military mind, became Chief Executive and subsequently appointed himself President of Pakistan.

Having being burnt by the Kargil betrayal so soon after his initiation of a peace process in Lahore, Vajpayee was initially reluctant to talk to General Musharraf. But by July 2001 he was ready to give Musharraf a second chance. Musharraf's visit to the Indian city of Agra amid great fanfare only widened the gap between India's political approach and the ad hoc thinking of Pakistan's military leadership. Vajpayee saw Musharraf as trying to score points on the Kashmir issue and was forced to return without a joint declaration or agreement. India and Pakistan have had no high-level official contact since then.

After September 11, 2001

The September 11, 2001, terrorist attacks fundamentally changed the context in which Pakistan's Kashmir policy had operated since 1989. The US-led international community has now vowed to actively reject violence against non-military targets for any political objective. Pakistan has argued for a decade that the militants in Kashmir are freedom fighters. But for the rest of the world such violence is "terrorism" and the US has projected zero-tolerance of terrorists. Hence, when Islamic militants attacked civilian targets in Indian-controlled territory in October and December 2001, India mobilized for major military retaliation, confident that the US precedent would be applied. While the US and other members of the international community now supported in principle India's right to retaliate against terrorism, they were also afraid that any military conflict between India and Pakistan could become a nuclear war. The United States worked assiduously with Indian and Pakistani leaders to pull the two states back from the brink. Islamic militancy has been a major spoiler in India-Pakistan relations in recent years. Under intense Indian and US pressure, following the terrorist attack on India's parliament in December 2001, Musharraf ostensibly initiated a series of moves aimed at limiting the influence of Islamic militants at home. But Musharraf and the military do not want to root out the Islamists completely because of the militants' utility in the unending conflict with India.

India and Pakistan have fought three wars in 54 years, two of them over Kashmir, and have clashed in other bloody battles short of full-blown war. Kashmir has been the center of violence – described by Pakistan as an insurrection against Indian rule and by India as a separatist movement backed by Pakistan – since 1989. Pakistan's support for the insurgency in Indian-controlled parts of Kashmir and the induction of Islamic militants, at least some of whom share beliefs similar to those of al-Qaeda and the Taliban, has highlighted the need for early resolution of the conflict between nuclear-armed India and Pakistan.

When India and Pakistan tested their nuclear weapons in 1998 some experts expressed the hope that there would be no further wars between them. Nuclear wars served as a deterrent to war between the United States and the Soviet Union, and it is a widely held view that the prospect of nuclear annihilation creates a "balance of terror" that in turn forces protagonists to talk to each other. India and Pakistan possess

nuclear weapons but do not have in place any of the other elements of deterrence. They do not have clearly identified "red lines," which once crossed would result in a nuclear strike. There are no arms control talks, no detailed nuclear doctrines, and no hotlines to guard against triggering accidental nuclear clashes. Given the geographic proximity of the two states, their reaction time in case of a missile attack is barely a few minutes. And neither side can "nuke" the other without having to bear some of the fallout.

Deterrence has already failed between India and Pakistan since their nuclear tests, and the Kargil clash is an example of a non-nuclear conflict between the nuclear-armed neighbors. After the December 12, 2001, terrorist attack on the Indian parliament, one million troops from both sides massed along their two-thousand-mile border. The troop mobilization ended several months later only after US shuttle diplomacy and Pakistani commitments to interdict militants crossing over from its territory into Indian-controlled Kashmir. Relations between the world's other nuclear powers have never been characterized by such frequent confrontations.

Conclusion

Pakistan's military-dominated decisionmaking process has resulted in combinations of short-term military and diplomatic moves without a well thought-out endgame. As pointed out by retired Air Marshal Asghar Khan, Pakistan's military adventures have been launched in the "hope that world powers would come to our rescue, intervene, bring about a cease fire and somehow help us achieve our political objectives. ... All our past wars with India have been fought for no purpose [and] we have suffered humiliation as a result."⁴⁶

A feeling of insecurity against a much larger and hostile neighbor was the original source of Pakistani apprehensions about its nationhood. The emphasis on seeking to "complete" Pakistan by acquiring Kashmir is directly related to this sense of insecurity. But over the years, structures of conflict have evolved, with the Pakistani military as the major beneficiary of maintaining hostility. The possession of nuclear weapons has given the Pakistani military a sense of invulnerability and has increased its willingness to consider options of unconventional warfare. The environment of the global war against terrorism restrains Pakistan's ability to persist with its policy of supporting Islamic militancy in Indian-controlled Kashmir. But in the

absence of a sustained peace process between India and Pakistan there will always be room for new tactics that prolong the conflict and attempt to alter the status quo.

Pakistan's domestic politics is a major factor in its relations with India. The Pakistani military does not trust the country's leaders representing the two major political parties – Benazir Bhutto of the Pakistan Peoples Party (PPP) and Nawaz Sharif the Pakistan Muslim League (PML). Since the 1999 coup d'état that brought General Musharraf to power, the military has attempted to rewrite Pakistan's constitution and restructure its polity – the fourth such attempt in Pakistan's relatively short history as an independent nation. The exclusion of Bhutto and Sharif from the political process has benefited the Islamist political parties, which were the major beneficiaries of the controlled parliamentary election held in October 2002. The Islamists control the Northwest Frontier Province, represent the largest non-government group in parliament and share power in the province of Balochistan. Their political power enables the military to drag its feet in implementing promises about ending Islamic militancy in Indian-controlled territory. On the other hand, the ascendancy of the Islamist leaders makes it difficult for politicians and intellectuals to advocate a settlement with India. An Islamist leader recently declared publicly that "killing Hindus" was "the best approach to the 56-year old dispute between Pakistan and India over Kashmir."⁴⁷ The rise of *Hindutva* or Hindu nationalism in India is feeding the religious frenzy in Pakistan, while the political gains of the Pakistani Islamists have empowered India's religious hardliners. The clash of these rival religious sentiments is hardly conducive to rational discourse aimed at seeking solutions for the Kashmir issue.

India has considerable advantage at present over Pakistan in almost all aspects of national power. It would be in India's interest to help Pakistan gain sufficient confidence as a nation to overcome the need for conflict or regional rivalry for nation-building. This process got under way with Prime Minister Vajpayee's bus trip to Lahore in 1998 but was derailed as a result of the Kargil conflict in May 1999. The diminution of military ascendancy in Pakistan's domestic politics is crucial for the normalization of relations between the two South Asian nations. At present, given US support for General Musharraf's regime, there is little likelihood that the military's role in Pakistani politics will diminish. But the international community, especially the US, could increase pressure

for restoration of civilian rule in Pakistan, paving the way for a constitutionally mandated civilian government to resume the Lahore peace process. In Kashmir, India could start a process of political inclusion that would help identify credible Kashmiri partners in restoring peace. Pakistan would need to back away from its deep involvement with the Kashmiri political opposition to pave the way for an inclusive political process. Dialogue among Kashmiris from both sides of the LOC would also help reduce tensions.

As things stand, however, Kashmir seems an intractable problem with potential for further India-Pakistan conflict. India believes it can maintain the status quo with its superior military force while Pakistan continues to bleed India and demand talks without having worked out what it would seek in these talks short of demanding the cession of all of Kashmir.

NOTES

1. M. M. R. Khan, *The United Nations and Kashmir* (Groningen, Netherlands: J. B. Wolters, 1956), p. 62.
2. For a thorough discussion of nation-building in India and Pakistan and its relation to the Kashmir conflict, see Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions since 1947* (New York: Columbia University Press, 2001).
3. This argument continually resurfaces, for example, in Suroosh Irfani, ed., *Fifty Years of the Kashmir Dispute* (Muzaffarabad: University of Azad Jammu and Kashmir, 1997).
4. See, for example, Indian Prime Minister Atal Bihari Vajpayee's Independence Day Remarks delivered on August 15, 2002. This address is available online at the Indian Government's Information Center, pmindia.nic.in/infocentre/curr_speeches.htm.
5. Abdul Sattar, "Fifty Years of the Kashmir Dispute: The Diplomatic Aspect," in Irfani, *Fifty Years*, pp. 11-12.
6. See, for example, M. A. Jinnah, *Speeches as Governor General* (Karachi: Ferozsons, 1981).
7. Stephen P. Cohen, *The Pakistan Army* (Berkeley: University of California Press, 1984), pp. 6-8.
8. Homer A. Jack, ed., *The Gandhi Reader* (Bloomington: Indiana University Press, 1956), pp. 454-56.
9. See Pervez Musharraf's interviews with *The Hindu* (April 1, 2002) and CNN (June 1, 2000). Both are available online at the Government of Pakistan's information portal, www.infopak.gov.pk/President_Addresses/presidential_addresses_index.htm.
10. Khan, *United Nations and Kashmir*, p. 62. It is significant that the argument in Pakistan has changed little since 1955, when Khan's book was published.
11. For more on the British role in Kashmir, see Alastair Lamb, *Kashmir: A Disputed Legacy* (Hertingfordbury, England: Roxford Books, 1991); Victoria Schofield, *Kashmir in the Crossfire* (New York: I. B. Tauris, 1996).
12. Rajmohan Gandhi, "Understanding Religious Conflicts," in Monique Menkenkamp, Paul van Tongeren, and Hans van de Veen, eds., *Searching for Peace in Central and South Asia* (Boulder: Lynne Rienner, 2002), p. 297.
13. All Pakistani authors on the subject emphasize the existence of support for the All Jammu and Kashmir Muslim Conference led by Yusuf Shah and Ghulam Abbas Ganguly, in *Conflict Unending*, refers to Kashmiri leader Shaikh Abdullah recognizing his limited support in some areas.
14. This argument is advanced in Ian Stephens, *Horned Moon* (London: Chatto and Windus,

- 1954); Chaudhri Muhammed Ali, *The Emergence of Pakistan* (New York: Columbia University Press, 1967). For more on Nehru's "one nation" ideal, see Josef Korbel, *Danger in Kashmir* (Princeton: Princeton University Press, 1966).
15. Khan, *The United Nations and Kashmir*, p. 52. See also Lamb, *Kashmir: A Disputed Legacy*, and Ali, *The Emergence of Pakistan*.
16. See Ali, *The Emergence of Pakistan*; Shahid Hamid, *Early Years of Pakistan* (Lahore, 1993).
17. See Hari Singh's letter to Mountbatten in Verinder Grover, ed., *The Story of Kashmir: Yesterday and Today* (vol. 3) (New Delhi: Deep and Deep Publishing, 1995), p. 108.
18. See, for instance, Khan, *The United Nations and Kashmir*, pp. 45-52; Prem Shanker Jha, *Kashmir, 1947: Rival Versions of History* (New York: Oxford University Press, 1996); Ali, *The Emergence of Pakistan*.
19. Ganguly, *Conflict Unending*, pp. 52-53; S. M. Burke, *Mainsprings of Indian and Pakistani Foreign Policies* (Minneapolis: University of Minnesota Press, 1974), pp. 191-93. For a full catalog of East Pakistan's grievances, see Appendix A of S. K. Chakrabarti, *The Evolution of Politics in Bangladesh, 1947-1978* (New Delhi: Associated Publishing House, 1978).
20. On Pakistan's early security concerns, see Peter R. Blood, ed., *Pakistan: A Country Study* (Washington, DC: Library of Congress, 1994), pp. 263-64.
21. Sattar, "Fifty Years," p. 11.
22. For a fuller description of this strategy, see Burke, *Mainsprings*, especially Chapter Five; S. M. Burke, *Pakistan's Foreign Policy: An Historical Analysis* (New York: Oxford University Press, 1973), pp. 136-37.
23. For a full discussion of the diplomatic maneuvering of this era, see Burke, *Pakistan's Foreign Policy*, pp. 31-46.
24. Burke, *Pakistan's Foreign Policy*, pp. 226-30; Khan, *The United Nations and Kashmir*, pp. 137-79.
25. Khan, *The United Nations and Kashmir*, pp. 72-73.
26. Khan, *The United Nations and Kashmir*, p. 61.
27. Sattar, "Fifty Years," p. 15.
28. Altaf Gauhar, "Four Wars, One Assumption," *The Nation*, September 5, 1999.
29. See, for example, Sattar, "Fifty Years," p. 20.
30. Ganguly, *Conflict Unending*, p. 70.
31. See, for example, Blood, *Pakistan*, p. 272.
32. See Blood, *Pakistan*, pp. 272-74; S. R. Sharma, *Bangladesh Crisis and Indian Foreign Policy* (New Delhi: Young Asia Publications, 1978), pp. 157-58.
33. See P. N. Dhar, *Indira Gandhi: The Emergency and Indian Democracy* (New York: Oxford University Press, 2000) for an account of the Simla talks by a member of the Indian delegation. See also "Did Bhutto Outwit Indira Gandhi?" *The Hindu*, February 6, 2000. In that article, Dhar refutes Pakistani denials of his account. According to Dhar, "Alastair Lamb, the well-known author of several books on the Kashmir question (in which he has vigorously supported Pakistan's point of view), says: 'Pakistani refutations of P.N. Dhar's claims (that Z.A. Bhutto did privately agree with the Indian Prime Minister that this was exactly the way in which the Kashmir problem would be settled, with the line of control being allowed to evolve gradually into an international border) have not to date been particularly impressive or convincing though circumstances have removed over the years any significance they may ever have possessed.'"
34. Simla Agreement (July 2, 1972).
35. As recently as December 2002, Indian Home Minister L. K. Advani denounced Simla as a failure, saying that the Indian government should have "extracted a commitment" at the time that "Jammu and Kashmir was an integral part of India." (See Press Trust of India, "Poll: Kashmir," December 6, 2002.) For a recent Pakistani critique of the agreement, see M. P. Bhandara, "Should We Renounce Shimla?" *Dawn*, January 5, 2003.
36. Julian Schofield, "Militarized Decision-Making for War in Pakistan: 1947-1971," *Armed Forces & Society* (Fall 2000), pp. 131-48.
37. Roedad Khan, ed., *The American Papers: Secret and Confidential India-Pakistan-Bangladesh Documents, 1965-73* (Karachi: Oxford University Press, 1999), p. 763.
38. For one of many recent examples, see Musharraf's address to the United Nations General Assembly (September 12, 2002). Available online at www.infopak.gov.pk/President_Addresses/presidential_addresses_index.htm.

39. For a thorough discussion of this phenomenon, see Gilles Kepel, *Jihad: The Trail of Political Islam*, trans. Anthony F. Roberts (Cambridge: Harvard University Press, 2002), especially Chapter 4.
40. Schofield, *Kashmir in the Crossfire*, p. 236. For an excellent narrative of the events leading up to the insurgency as well as its consequences, see Sumit Ganguly, *The Crisis in Kashmir: Portents of War, Hopes of Peace* (New York: Cambridge University Press, 1997), Chapter 5.
41. Amnesty International, *India - Torture, Rape and Deaths in Custody* (New York, 1992).
42. This information is based on the author's personal experience in the Pakistani government.
43. C. Raja Mohan, "Other Issues Too Are Important: Benazir," *The Hindu*, November 27, 2001.
44. See, for example, Gauhar, "Four Wars."
45. A. K. Dhar, "Intrusion A Disaster - Nur Khan," *Indian Express*, July 21, 1999.
46. M. H. Askari, "Looking beyond Kargil," *Dawn*, August 4, 1999.
47. This statement was made by Hafiz Saeed, the founder and former head of Lashkar-e-Taiba. See "Killing Hindus Better Than Talks: Saeed," *The News* (Internet Edition), April 4, 2003.

Terrorism in Jammu and Kashmir in Theory and Practice

PRAVEEN SWAMI

As a rule, there are mirrors, so on your right you see Dracula raising the lid of a tomb, and on the left your own face reflected next to Dracula's, while at times there is the glimmering image of the Ripper or of Jesus, duplicated by an astute play of corners, curves and perspective, until it is hard to decide which side is reality and which illusion.¹

The body of the Srinagar religious leader, Mirwaiz Mohammad Farooq, rests in a corner of the graveyard near the Idgah in Srinagar. Farooq was for decades an emblem of secessionist sentiment in downtown Srinagar, a thorn in the side of the Indian state. Buried nearby is the body of Mohammad Abdullah Bangroo, the Hizb-ul-Mujaheddin terrorist who assassinated him. Both the assassin and his victim are, to the faithful, martyrs; martyrs, moreover, for exactly the same cause.

Making sense of the house-of-horrors Jammu and Kashmir has been reduced to by terrorist violence is a difficult enterprise. The intensity and sheer violence of the exhibits that constitute it have ensured even the curators of this ugly installation have been unable to provide a useful guide to lead us through what they have put together. Much of the somewhat thin historiography of terrorism in Jammu and Kashmir is built around a simple narrative. A mass uprising, underpinned by a secular-nationalist liberation struggle with considerable mass support, gave way, by the early 1990s, to a violent assault on the Indian state, led by the Islamist Right. Controlled tightly by Pakistan's military and intelligence establishment, the terrorist groups of the Islamist Right were however mainly ethnic-Kashmiri in composition. After 1996 or so, this began to change, and greater numbers of Pakistan nationals, along with some recruits from Afghanistan and central Asia, began to be pumped into the war. The primacy of terrorist groups led by ethnic Kashmiris, notably the Hizb-ul-Mujaheddin, gave way to Pakistani-run groups like the Harkat-ul-Mujahideen, the Lashkar-e-Taiba, and, more recently, the Jaish-e-Mohammad.

Like much conventional wisdom, this historiography contains a not inconsiderable element of truth. The problem is that it obscures at least

as much as it reveals. Even a cursory look at the course terrorism has taken since 1989 suggests that there are considerable continuities of thought and action which cut across organizations – and, at once, profound contradictions. The leadership of the Jammu Kashmir Liberation Front, the organization that led the first wave of anti-India violence in 1988–89, prided itself on its secular understanding of Kashmiri nationhood. Many of its cadre were, however, implicated in the brutal expulsion of the Kashmir valley's Pandit minority, and the organization used Islamist themes in much of its mobilization and public discourse. The Hizb-ul-Mujaheddin, while expressly Islamist, is mostly ethnic Kashmiri. Its practice, however, has involved the rejection of key elements of Kashmiri identity. Among its most important north Kashmir commanders, for example, was Abdul Hamid Gada, whose family had for generations worked as custodians of the famous temple of Tulmulla. For a variety of reasons, Gada went on to reject these syncretic cultural practices, and executed the mass killing of 23 Pandits, nine of them women and four young children, at Wandhama.² Conversely, Hizb cadres opposed efforts to impose an Islamic code of conduct in 1992, and, more recently, were reported to have killed rival al-Badr cadre seeking to impose the Burkha on women in Rajouri.³

This article attempts to create a framework for discussion of some of these contradictions, which are situated amidst the ongoing war being waged by India and Pakistan – a war described as a “low-intensity conflict,” although it has claimed a good many more lives than many full-blown ones. The objective here is, so to speak, to fix the image of what has passed since 1988. The first part provides an empirical framework within which the ebb and flow of events over the past decade and a half can be mapped. Broadly, three major arguments follow. The first, based on unpublished official Indian data, is to show that Pakistan has succeeded in maintaining the threshold of violence established in 1990, and that Indian responses have done little to alter the military balance of power. This has considerable implications for policy, not the least for the future of Indian efforts to initiate dialogue with supposed “moderates” within the terrorist groups. Second, there is a greater ideological continuity between the different terrorist groups than has been admitted. The clearcut distinctions made between secularists, moderate Islamists and far-right *jihadi* groups are problematic. Finally, the objectives of terrorism far transcend the limited stage of Jammu and Kashmir, and need to be read in the context of larger questions of nationhood and religious identity in south Asia.

A note on some of the data used is perhaps in order at this point. Parts of this article rely on classified Indian material which I have been able to

obtain during several years as a journalist in Jammu and Kashmir. Where possible, I have cited specific documents. While material generated by the Indian security and intelligence establishment of course reflects particular points of views, it is in general an honest representation of events as understood by its authors. This is because ground-situation assessments and interrogation reports have no evidentiary value in Indian courts and were never written with the intent of being made public. My reliance on this data is also a consequence of the thin volume of public-domain material on these groups and their leaders. Little work has been carried out on precisely what classes threw up the first wave of insurgents and terrorists in Jammu and Kashmir, what social formations joined and left them, and how the groups were as a consequence born, dissolved, and then emerged transfigured and re-formed. None on the Indian side of the Line of Control has yet written an account of these processes from the inside; in Pakistan, where almost all the key decisions shaped the course of violence have been made, there has been an even more pronounced silence.

The Contours of Terrorism⁴

On March 31, 1988, a bomb went off inside the Telegraph Office in downtown Srinagar.⁵ The authors of the explosion, the Jammu and Kashmir Liberation Front (JKLF), claim the attack to be the beginning of a violent conflict that had, by December 26, 2002, claimed 35,181 lives. The claim reflects a certain discomfort with the fact – shared, I might add, by official India – that terrorism in Jammu and Kashmir long predates the political events of the 1980s, generally claimed to be its proximate cause. One of the key initiators of the JKLF, Mohammad Maqbool Butt, was arrested as early as 1966 for the murder of an intelligence officer. Butt's operation sparked off a number of similar enterprises. Large-scale terrorism-related arrests in Jammu and Kashmir took place as early as 1967, when a group of young people attempted to murder a Central Reserve Police Force constable. A year later, an attempt was made to steal rifles from the rooms of the National Cadet Corps in the Islamia College. In 1971 several members of the terrorist group al-Fateh were arrested on charges of having conspired to rob a bank to fund the liberation struggle, while JKLF operative Hashim Qureshi hijacked an Indian Airlines aircraft to Lahore.⁶ A decade later, JKLF cadres were implicated in the murder of London-based Indian diplomat Ravindra Mhatre. We now know the same group considered executing a second hijacking to secure Maqbool Butt's release.⁷

Yet the fact remains that these armed actions do not approach in scale those that followed the bombing of the Telegraph Office. No one has yet

TABLE 1
A ROUGH GUIDE TO SOME MAJOR TERRORIST GROUPS

1. Islamist ideology, Pakistan-based, with Pakistani leadership and cadre

<i>Lashkar-e-Omar</i>	Lashkar-e-Omar (LeO) is a new alliance group reportedly founded in January 2002 and is a conglomerate of the Harkat-ul-Jihad Islami, Lashkar-e-Jhangvi and Jaish-e-Mohammad cadres. It was formed after the arrests of several front-ranking Islamist leaders in Pakistan following President Pervez Musharraf's address to the nation on January 12, 2002, in which he committed himself to dismantling the structures and networks of terrorism based in his country.
<i>Lashkar-e-Taiba</i>	Formed in 1990 in the Kunar province of Afghanistan, the Lashkar-e-Taiba is the military wing of the Markaz-ud-Dawa-wal-Irshad, an Islamic fundamentalist organization of the Ahle-Hadith sect in Pakistan. The Markaz is based in Muridke near Lahore, Pakistan, and is headed by Hafiz Muhammad Saeed. Its first presence in Jammu and Kashmir was recorded in 1993 when 12 Pakistani and Afghan cadre infiltrated across the LOC in tandem with the Islami Inquilabi Mahaz, a terrorist outfit then active in the Poonch district of J&K. The Markaz now claims it has hived off its armed activities, and that the Lashkar-e-Taiba operates independently.
<i>Jaish-e-Mohammad</i>	The outfit was launched on January 31, 2000, by Maulana Masood Azhar in Karachi after he was released from an Indian jail during the terrorists-for-hostages swap of December 31, 1999, following the hijacking of the Indian Airlines Flight IC 814. The formation of the outfit was endorsed by three religious school chiefs, Mufti Nizamuddin Shamzai of the Majlis-e-Tawan-e-Islami (MT), Maulana Mufti Rashid Ahmed of the Dar-ul Ifta-e-wal-Irshad and Maulana Sher Ali of the Sheikh-ul-Hadith Dar-ul Haqqania. The outfit's creation can be linked to the popularity surrounding Masood Azhar after his release from India. Maulana Masood Azhar was the general secretary of the newly established Harkat-ul-Ansar (HuA) in 1994 and was on a "mission" in J&K when he was arrested on February 11. When he was released, the HuA had been included in the US list of Foreign Terrorist Organizations which had compelled the outfit to rename itself as the Harkat-ul-Mujahideen (HuM). However, Masood Azhar decided to float the new outfit JeM rather than rejoin his old outfit. He was also reported to have received assistance in setting up the JeM from Pakistan's Inter-Services Intelligence (ISI), the then Taliban regime in Afghanistan, Osama bin Laden, and several Sunni sectarian outfits of Pakistan.
<i>Harkat-ul-Mujaheddin/ Harkat-ul-Ansar</i>	The Harkat ul-Ansar was formed by the merger of two Pakistani groups, Harkat ul-Jihad al-Islami and Harkat ul-Mujahedin, and led by Maulana Saadatullah Khan. The merger of these two political groups and its transformation into a militant group came about as part of the Afghan jihad. With a pan-Islamic ideology, the outfit strove to achieve the secession of J&K from India through violent means and its eventual merger with Pakistan. The Harkat-ul-Ansar was termed a terrorist organization by the US due to its association with the exiled Saudi terrorist Osama bin Laden in 1997. To avoid the repercussions of the US ban, the group was renamed the Harkat ul-Mujahideen in 1998.
<i>Harkat-ul-Jihad-i-Islami</i>	Two Pakistan-based Deobandi religious bodies, the Jamaat-ul-Ulema-Islami (JuI) and the Tabligh-i-Jamaat (Tij), set up the HuJI in 1980,

the outset of the Afghan war. It was first formed to run relief camps for the Afghan mujahideen and was led by Maulvi Irshad Ahmed. A power-struggle was reported within the group after the death of Maulana Irshad Ahmed, in 1985 during the Afghan Jihad. Fazal-ur-Rehman Khalil, the group's 'commander-in-chief' split with the new Amir (chief), Qazi Saifullah Akhtar and formed the Harkat-ul-Mujahideen (HuM). The HuM retained links with the HeI-K. It has undergone several changes during the past two decades and spread its area of activities to J&K, other parts of India, and Bangladesh. HuJI cadres are suspected to be involved in the terrorist attack on the Kolkata office of the United States Information Service on January 22, 2002.

al-Badr

Two different terrorist groups used this nomenclature at varying times in the decade-old insurgency in Kashmir. Initially, in August 1988, some terrorists associated with the Jamaat-e-Islami, are reported to have started two terrorist outfits, al-Badr and the Jammu and Kashmir Student Liberation Front (JKSLF) to counter the growing popularity of the Jammu and Kashmir Liberation Front (JKLF). While some members of the JKSLF became pro-India militia members, others, led joined the Jammu Kashmir Islamic Front (JKIF), a terrorist group set up to conduct operations outside J&K itself. The new version of the al-Badr was formed in 1998, through the induction of Pakistan nationals, mainly from Pakistan-administered Kashmir, already serving in several other terrorist outfits. Although it is synonymous with the Hizb-ul-Mujaheddin in the Jammu region, its tactics and composition differ.

2. Islamist ideology, Pakistan-based, but mainly ethnic-Kashmiri cadre and leadership

<i>Hizb-ul-Mujaheddin</i>	The Hizb-ul Mujahideen was founded in 1989 as the militant wing of the Jamaat-e-Islami in J&K. It was originally named al-Badr. The Jamaat-e-Islami is reported to have set up this terrorist front at the prodding of ISI, as an Islamic counter to the JKLF. The Hizb-ul Mujahideen stands for the integration of J&K with Pakistan. It is, however, sharply divided between supporters of its Amir, Mohammad Yusuf Shah, and followers of Abdul Majid Dar, a senior leader committed to dialogue with India who was assassinated in March, 2003.
<i>Jamaat-ul-Mujaheddin</i>	The Jamiat-ul-Mujahideen was the first breakaway faction of the Hizb-ul-Mujahideen that emerged out of a personality clash between Master Ahsan Dar, the then chief of the outfit and Hilal Ahmed Mir. Mir, who used the code-name Nasirul Islam opposed the move to transform the Hizb into Jamaat-e-Islami's armed wing. It was formed in 1990 with Sheikh Abdul Basit as its chief. Its followers are mostly Kashmiris from the Ahle-Sunnat (Deoband) school.

3. Kashmiri nationalist, Kashmir-based, Kashmiri leadership

<i>Jammu Kashmir Liberation Front</i>	Although militarily defunct, the JKLF is key to the course of violence in J&K. There are two distinct outfits, each of which identifies itself by the name Jammu and Kashmir Liberation Front (JKLF). Amanullah Khan heads the first while Yasin Malik, who parted ways with Amanullah Khan and formed another JKLF, heads the other. In May 1994, Yasin Malik who was released from jail (he had been arrested in August 1990) declared that his faction would renounce violence as a tool to achieve the goal of independence. In March 1996, the last surviving members of the Amanullah faction who were based in J&K under the leadership of Shabbir Siddiqui were killed by Indian security forces.
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TABLE 2
PATTERNS OF TERRORIST VIOLENCE, 1988-2002

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002*
Attacks on security forces	6	49	1,098	1,999	3,413	2,573	2,693	2,253	1,432	1,116	1,211	1,390	1,560	1,994	1,624
Attacks on civilians	1	73	485	321	507	539	619	647	1,025	616	619	660	493	611	669
Explosions	24	506	1,164	220	180	238	230	329	438	306	332	341	351	372	252
Incidents of arson	118	334	646	391	564	662	453	570	453	277	223	184	60	100	132
Incidents of kidnapping	0	2	57	100	124	176	237	316	377	250	197	140	179	231	217
Robbery and extortion	0	0	23	11	39	50	97	133	150	117	81	55	65	44	55
Cash stolen (million INR)	0	0	22.7	6.2	6.4	8.4	13.9	15	3	1.5	1	2.4	0.8	3.5	4
Inter-Tanzeem fights	0	0	5	80	139	107	175	169	238	223	166	123	102	95	38
Other acts of violence	241	1,190	427	0	5	112	80	62	111	99	164	45	26	58	68

Note: * Provisional figures, to December 25.

Source: Union Ministry of Home Affairs, New Delhi. (Figures used here, as in subsequent tables, many in some cases not tally with the Annual Report of the Union Ministry of Home Affairs, which relies on legally-binding data compiled by the Jammu and Kashmir Police. As these figures are not restricted by legal requirements, I have used them as I believe them to be more accurate.)

TABLE 3
KILLINGS IN JAMMU AND KASHMIR, 1988D2002

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002*
Terrorists killed	1	0	552	1,016	991	1,584	1,818	1,545	1,313	1,282	1,111	1,278	1,808	2,119	1,719
of which Pakistani/foreign	0	0	0	3	19	97	125	119	194	258	394	348	403	488	504
% of which foreigners	0	0	0	0.3	1.92	6.12	6.88	7.7	14.8	20.1	35.5	27.2	22.3	23	29.32
Civilians Killed	29	79	875	597	835	983	957	1,129	1,360	830	879	831	861	1,020	1,053
of which Muslims	29	73	679	549	747	891	835	1,013	1,175	717	678	684	661	848	793
of which Hindus	0	6	177	34	67	88	104	97	114	64	159	98	132	105	155
of which Sikhs	0	0	6	6	10	4	11	4	2	1	1	0	40	18	8
of which political activists	0	0	13	8	11	0	7	15	69	48	41	49	28	49	97
Security forces killed	1	13	132	185	177	216	236	297	376	355	339	555	638	706	500
Regular force personnel	1	13	132	185	177	216	220	258	241	203	230	387	499	577	427
Special police officers	0	0	0	0	0	0	0	0	4	13	35	64	70	50	57
Pro-India militia members	0	0	0	0	0	0	16	39	131	139	74	104	69	79	16
Terrorists killed per security force	1.00	0.00	4.18	5.49	5.60	7.33	7.70	5.20	3.49	3.61	3.28	2.30	2.83	3.00	3.44

Note: * Provisional figures, to December 25.

Source: Union Ministry of Home Affairs, New Delhi.

TABLE 4
TRENDS IN WEAPONRY

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
AAMs									1	1	1	3			
Air-defense guns									1	1	1	0	46	6	3
Missiles								1	1	5	12	31	186	246	49
Mortar						12	5	4	5	14	22	74	1,794	1,604	1,121
RDX (kgs.)						2	5	9	152	709	1,428	1,161	269	380	147
Rocket launchers			141	140	174	95	171	100	110	177	315	195	3,462	3,159	2,905
Other explosives (kgs.)	107	86	1,773	588	436	3,275	1,508	1,689	3,549	4,168	4,622	2,805	1,548	1,681	1,614
AK series rifles/carbines	34	46	1,394	2,602	3,775	2,424	2,557	2,348	2,384	2,059	1,588	1,365	8,129	7,925	6,424
Grenades	18	39	2,937	2,236	2,818	4,798	3,207	3,746	5,392	7,136	8,136	6,735	20	13	3
General-purpose machine guns			96	161	168	157	137	79	107	74	72	33			

Source: Union Ministry of Home Affairs.

provided a clear explanation of just why major terrorist groups sought to initiate full-scale hostilities in 1988-89. They were, the figures suggest, quite unprepared for an armed engagement with the Indian state. Although there were six terrorist attacks on security force personnel in 1988, just one claimed a fatality. The bulk of violence that year was made up of bomb explosions and what the official data records as "other acts of violence," low-grade activity which claimed few lives. The situation deteriorated somewhat in 1989, but even then the levels of violence were extremely low compared to what was soon to be witnessed. In 1990 alone attacks on security forces were to be more than twenty times higher than witnessed in 1989, while arson and bomb explosions doubled. Interestingly, the number of "other acts of violence" declined, indicating that the terrorist groups now had a more focused military agenda (see Table 2). During the same period, killings of civilians and security force personnel went up tenfold. The Indian state's response was even more dramatic. While no terrorists had been killed in 1989, 552 died in engagements with Indian forces in 1990 (see Table 3).

While terrorist groups may not have been ready for all-out war, the available data affirms long-standing criticism that their state opponents were fairly clueless as well. Indian intelligence and military establishments ought, in 1988-89, to have had a fairly good idea that serious trouble was in the offing. Kalashnikov-series assault rifles, mainly Chinese-made clones of the AK-47, had been recovered in large numbers in both these years, along with grenades. Given that weapons recovered by security forces constitute only a percentage of what has actually been shipped across the Line of Control, Indian strategists should have been clear that provision had been made to arm and equip considerably larger numbers of people than they were actually engaging. Interestingly, 1990 saw the first recoveries of heavier weapons, like general-purpose machine guns and rocket launchers (see Table 4). The fact that these were found only in 1990 suggests the weapons were of recent origin. This, again, supports the often-expressed complaint that Indian management of the Line of Control was exceedingly lax during this period. There has been no coherent official account of just why Indian intelligence so evidently failed to detect the training of terrorist cadre in Pakistan, and why no serious effort was made to set in place heightened counter-infiltration measures.

Subsequent Indian responses to the crisis were fierce, and, the data suggests, fairly successful – or at least, that is, for a time. The numbers of terrorists killed rose steadily until 1994, and then tapered off. Attacks on security forces, which peaked in 1992, thereafter declined steadily until 1998, mirroring the forces' success in hunting down terrorists. It should

TABLE 5
INFILTRATION: ESTIMATES AND INTERDICTION

	1996	1997	1998	1999	2000	2001	2002*
Estimated infiltration	3,729	1,753	2,327	2,703	2,305	2,400	1,401
Foreign	1,777	860	1,257	1,595	1,046	1,515	1,028
Local	1,952	893	1,070	1,108	1,259	885	373
Total interdiction	1,587	1,647	1,287	1,366	1,948	2,436	2,150
of which:							
Interdicted on border	266	396	473	362	417	556	627
Arrested	41	55	72	33	36	46	35
Killed	225	341	401	329	381	510	592
Killed in statewide depth area	1,088	941	710	949	1,427	1,609	1,127
Foreign	194	258	394	348	403	488	504
Local	894	683	316	601	1,024	1,121	623
Non-lethal interdiction in depth	233	310	104	55	104	271	396
Surrenders	87	88	60	21	12	11	41
Arrests	146	222	44	34	92	260	355

Note: * Infiltration figures to November-end 2002. All other figures to December 25.
Source: Union Ministry of Home Affairs, New Delhi.

be noted, however, that this did not translate into a reduction of the numbers of Indian security force personnel killed. Terrorist killings of troops and police personnel continued to rise until 1995. The killings declined for three years and then began rising again. When combined with the killings of irregulars, such as Special Police Officers and members of pro-India militia groups, the growth appears even more dramatic. Worst of all, from an Indian point of view, the numbers of terrorists killed for every security force person lost in combat has been declining steadily since 1994. Interestingly, Indian military success against terrorists did not translate into a safer life for ordinary people in Jammu and Kashmir. Both attacks on civilians by terrorists, and the numbers of civilians killed, grew steadily until the regime of Farooq Abdullah took power in 1997. These killings were, possibly, a means for terrorist groups to illustrate that they continued to wield power over civil society, notwithstanding the increasing aggression of the counterterrorism apparatus.

Experts and the Indian establishment argue that terrorist groups' ability to sustain violence despite reverses in the mid-1990s was the result of the injection of large numbers of well-trained Pakistani nationals. Indian estimates suggest that since 1996 the number of foreign terrorists infiltrating across the Line of Control has been greater than, or sometimes almost equal to, the number of residents of the state arriving

from cross-border training camps (see Table 5). This number, however, fits poorly with the data on the killings of terrorists. Since 1997 the numbers of foreign terrorists killed have constituted between a fifth and a third of all terrorists killed. This figure may itself be on the high side, since, from personal experience, I know that bodies of all terrorists who do not appear to be "local" or are unclaimed by relatives are recorded as those of Pakistan nationals. Second, the infiltration estimates are exactly what they purport to be – *estimates*. Villagers and local informants reporting the movement of infiltrating groups often overstate the numbers of their foreign cadre. However, an alternative explanation also needs to be considered. Since most foreign members of terrorist groups are easily identified in populated areas, many tend to stay in remote mountain areas where the possibility of engagement with Indian forces is relatively low. This may, perhaps, account for the gap between reported infiltration and casualties.

Official estimates of the actual ground deployment of terrorist cadre raise the same issues (see Table 6). Broadly speaking, the Indian security establishment seems to believe that roughly equal numbers of individuals from its side of the Line of Control and foreign nationals together make up the 3,500-odd terrorists operating in the state at any given point. The composition varies from the Hizb-ul-Mujaheddin, roughly a quarter of whose cadre is estimated to be from Pakistan and Pakistan-held Kashmir, to the Lashkar-e-Taiba, where this ratio is reversed. Interestingly, there are significant regional variations in this pattern. The Harkat-ul-Mujahideen, for example, is mainly made up of foreigners in Kupwara and Baramulla, but the ratio is more balanced in the Jammu-region districts of Poonch and Doda. The policymakers who planned the Ramzan ceasefire of 2000 appear to have paid little attention to these figures. Broadly, the ceasefire hoped to bring about a frontal schism between pro-dialogue ethnic-Kashmiri cadre of the Hizb-ul-Mujaheddin and foreigners.⁸

Although it would take a far longer article to address the issue, Indian strategy since 1988 has been predicated on the assumption that there are "moderate" terrorist groups with which it can reach a negotiated solution. As with the Ramzan ceasefire, none of these efforts have had notable success. The data help explain why the experience of the Ramzan ceasefire was, in military terms, an unmitigated disaster.⁹ Far-right Pakistan-based organizations hostile to dialogue with India, notably the Lashkar-e-Taiba, Jaish-e-Mohammad, Harkat-ul-Mujahideen, and Harkat-ul-Jihad Islami, outnumber the Hizb-ul-Mujaheddin. They also have more than adequate local cadre to negate any need for assistance from Hizb-ul-Mujaheddin. Often, Pakistan nationals within the Hizb-ul-

TABLE 6
ESTIMATED GEOGRAPHICAL DISTRIBUTION OF TERRORISTS, 2002

	Hizb-ul-Mujaheddin	HM-Pir Panjval	al-Badr	Harakat-ul-Mujaheddin	Haekar-ul-Jihad Islami	Lashkar-e-Taiba	Jash-e-Mohammad	Tehreek-ul-Jihad	Tehreek-ul-Mujaheddin	al-Umar	al-Fateh	al-Barq	Jamiat-ul-Mujaheddin	Muslim Janbaz Force	Hizb-e-Islami	Lashkar-e-Islam	Other	Total
Anantnag	21		9	2	11	33	22			1								99
	Foreign																	
	Local		3	2	36	22	48		1	2								247
Baramulla	133		14	19	15	23												92
	Foreign																	136
	Local		8	8	12	27												136
Kupwara	81		20	74	111	28						1	4				11	300
	Foreign																	
	Local		7	45	25	39		14	2		1	8	4				12	263
Pulwama	50																	16
	Foreign																	
	Local																	112
Srinagar	106																	35
	Foreign																	
	Local																	133
Budgam	6		2	11	5	6							5					41
	Foreign																	
	Local		2	33	6	13			5	6	1		5					65
Jammu	62																	0
	Foreign																	
	Local																	0
Kathua	8			1														4
	Foreign																	
	Local																	16
Poonch	41																	355
	Foreign																	
	Local																	200
Udhampur	20		15	25	40	170	70											164
	Foreign																	
	Local		10	20	30	20	20											249
Doda	60		35	4	38	24												438
	Foreign																	
	Local		10	3	20	3			5									245
Rajouri	35		36	36	11	107	37		10									55
	Foreign																	
	Local																	
Total	115		20	36	35	27	25											1,572
	Foreign																	
	Local																	1,829
	Foreign		10	115	87	627	243	0	10	4	0	1	9	28	10	5	11	1,572
	Local		30	50	148	106	199	14	14	12	4	8	9	8	20	10	12	1,829
	Foreign		40	165	319	826	435	14	24	16	4	9	18	36	30	15	23	3,401
	Local																	

Mujaheddin operate independently, using ethnic Kashmiri recruits only for low-value tasks. Mohammad Suhail Malik, a Lashkar-e-Taiba terrorist charged with having participated in the massacre of 36 Sikh villagers at Chattisinghpura, told his interrogators of one joint action with the Hizb-ul-Mujaheddin. He, along with four other Lashkar terrorists, joined two Pakistan-national members of the Hizb-ul-Mujaheddin in the ambush of a civilian bus hired to carry army personnel. "Waleed informed [us] that one [local] militant of HM [Hizb-ul-Mujaheddin] would also be under cover in the bus. He would alight earlier and inform [us] about the arrival time of the bus."¹⁰

Chief Minister Mufti Mohammad Sayeed's "healing touch" policy, now being implemented in Kashmir, merits examination in this context. Like Vajpayee, Sayeed believes that a reduction in aggressive counterterrorist operations will reduce public alienation and distress, strengthen ethnic-Kashmiri moderates, and generate mass pressures that will compel terrorist groups to deescalate. At first glance, the "healing touch" seems to be working. On almost every conceivable index, Jammu and Kashmir has been a safer place during Sayeed's reign than during the same period in previous years (see Table 7). Between November 2002, when the People's Democratic Party-led coalition took office, to March 15, 2003, the numbers of terrorism-related violent incidents, attacks on security force personnel, and the killings of civilians and security forces all fell dramatically from the corresponding period of 2001-02 and 2000-01. The figures for 2000-01 are particularly interesting, since the Ramzan ceasefire was then in force - suggesting that the "healing touch" has been more successful than New Delhi's unilateral initiative.

But one other figure gives cause for concern. The number of terrorists killed during Sayeed's reign has also fallen precipitously, to 444 from 797 between November 2001 and March 15, 2002. The decline in the deaths of terrorists is far more marked than any other category of killings. The savage assault initiated after the collapse of the Ramzan ceasefire actually saw losses of security force personnel fall in the November 2001-March 15, 2002, period by 24.7% from the same period of 2000-01. By contrast, the fall from the 2002-03 period and the Sayeed period is 21.8%. The fall in civilian casualties in the Sayeed period compared to the 2001-02 period is 10.1%; it was 12.5% during the heightened warfare of 2001-02 when compared to 2000-01. Put simply, then, the assertion that falling civilian and security force fatalities vindicate the "healing touch" is flawed. In fact, the aggressive anti-terrorist operations of 2001-02 were able to secure even sharper percentage reductions in civilian and security force casualties. At the same time, terrorist groups have been able to use the lull to regroup and

TABLE 7
LAW AND ORDER UNDER MUFTI MOHAMMAD SAYEED

Raw Data

	Terrorist Violence			Killings				
	All Incidents	Against Forces	Against Others	Forces	Civilians	Terrorists	Others	Terrorists Per Force
November 2002-March 15, 2003	818	407	168	133	268	462	1	3.47
November 2001-March 15, 2002	1,030	616	193	162	295	797	14	4.92
November 2000-March 15, 2001	1,043	495	230	215	337	444	29	2.07

With November 2002-March 15, 2003 as 100

	Terrorist Violence			Killings			
	All Incidents	Against Forces	Against Others	Forces	Civilians	Terrorists	Others
November 2000-March 15, 2001	100.0	100.0	100.0	100.0	100.0	100.0	100.0
November 2001-March 15, 2002	98.8	124.4	83.9	75.3	87.5	179.5	48.2
November 2002-March 15, 2003	78.4	82.2	73.0	61.8	79.5	104.0	3.4

Percentage Change From Previous Period

	Terrorist Violence			Killings			
	All Incidents	Against Forces	Against Others	Forces	Civilians	Terrorists	Others
November 2001-March 15, 2002	-1.2	24.4	-16.1	-24.7	-12.5	79.5	-51.8
November 2002-March 15, 2003	-26.0	-51.3	-14.9	-21.8	-10.1	-72.6	-1,317.6

Source: Union Ministry of Home Affairs

restructure their operations. In the 2001-02 period, 4.92 terrorists were killed for every security force trooper whose life they took. That figure has now come down to 3.47, an obvious indicator of improved terrorist operations during the "healing touch" period.

Advocates of "healing touch"-type programs perhaps need to apply their minds to this data. Equally, Indian military strategists need to ask if the twin pillars of their counter-terrorist strategy – seeking to choke trans-Line of Control infiltration and restricting anti-terrorist operations to Jammu and Kashmir itself – are adequate. It seems evident that the problems evident in India's management of the Line of Control a decade ago still persist. First, in all years other than 2002, the numbers of arrests, surrenders and killings of terrorists have been exceeded, by far, by the numbers of those infiltrating. Even in 2002, Pakistan seems to have ensured the near-replacement of all terrorist cadre lost during the year. Relatively few terrorists, moreover, have been actually interdicted while attempting to cross the Line of Control in any year since 1996; the numbers range from a tenth to a fifth of estimated infiltrators. It was only in 2002 that nearly half of all infiltrating terrorists were shot along the Line of Control, a consequence perhaps of the massive Indian forward buildup there that year. It needs to be noted, however, that for some months in the Operation Parakram period, notably December 2001, and March, April, and May, 2002, infiltration was actually higher than in previous years (see Table 8). January and February were, moreover, unusually cold that year, which in itself may have made movement across mountain passes more difficult than usual. It is, therefore, unclear whether the troop buildup was in itself a significant deterrent to infiltration.

Even if one were to assume, for the sake of argument, that Operation Parakram had some effect on infiltration, it did little to actually improve the ground situation in Jammu and Kashmir – the stated purpose of the buildup. The sharp drop in infiltration notwithstanding, the killing of security force personnel and the number of attacks on security forces remained at levels higher than experienced in 1999. Indeed, attacks on civilians, and the numbers of civilians killed, rose to levels higher than at any point since 1996. In this sense, India's own post-December 13, 2001, diplomatic insistence on a reduction of infiltration may be misplaced; its more general and publicly articulated demand for an end to cross-border terrorism cannot be reduced to the numbers of terrorists crossing the Line of Control. There are already enough terrorists and arms inside Jammu and Kashmir to sustain violence at high levels even if infiltration is temporarily choked off. Indeed, Pakistan seems to have positioned itself for precisely such a possibility. That recoveries of light weapons like

TABLE 8
THE EFFECT OF PARAKRAM ON INFILTRATION

	Jan	Feb	Mar	Apr	May	Jun	Jly	Aug	Sep	Oct	Nov	Dec
1996 Foreign	137	81	215	751	35	42	83	157	36	43	83	113
Local	63	40	292	168	80	38	421	360	121	118	124	127
Total	200	121	507	919	115	80	504	517	157	161	207	240
1997 Foreign	29	23	33	14	40	225	130	268	70	8	14	6
Local	87	18	145	173	33	142	100	141	22	13	13	6
Total	116	41	178	187	73	367	230	409	92	21	27	12
1998 Foreign	43	46	137	295	76	254	145	53	50	96	55	7
Local	55	27	88	161	103	138	117	119	129	22	63	48
Total	98	73	225	456	179	392	262	172	179	118	118	55
1999 Foreign	13	17	112	149	145	474	200	81	151	86	90	77
Local	19	61	55	110	143	111	159	110	129	59	96	56
Total	32	78	167	259	288	585	359	191	280	145	186	133
2000 Foreign	50	45	28	72	121	133	154	73	59	145	98	68
Local	70	12	35	58	190	167	240	124	129	113	83	38
Total	120	57	63	130	311	300	394	197	188	258	181	106
2001 Foreign	109	47	60	4	125	177	159	152	131	154	101	260
Local	40	57	55	54	54	86	82	127	131	72	81	46
Total	149	104	115	58	179	263	241	279	262	226	182	306
2002 Foreign	21	39	100	124	143	17	64	147	145	111	117	41
Local	12	21	32	17	59	15	35	58	54	41	29	54
Total	33	60	132	141	202	32	99	205	199	152	146	95

Source: Union Ministry of Home Affairs, New Delhi. Compiled from various sources.

assault rifles have been higher than the number of terrorists killed and arrested suggests large surpluses of weapons have been dumped for future use. The discovery of air-defense weapons and anti-aircraft missiles in recent years also suggests preparation for a higher-than-guerilla level of conflict. The last of these recoveries was made in Kupwara, soon after Indian troops pulled back from offensive positions along the Line of Control.¹¹ General Pervez Musharraf's recent suggestion that future India-Pakistan war would be "non-conventional" can, perhaps, be read in this context.¹²

Given that all kinds of tactics and technical means have been used to cut off infiltration during these years, it is possible to argue that *no* level of defensive monitoring of the Line of Control will be adequate as long as Pakistan continues providing military assistance to terrorist groups. Pakistan media accounts make clear that official support for far-right terrorist groups persists, despite Musharraf's repeated promises to the United States government. Most of the Islamist far-right organizations and publications banned in the wake of the events of September 11, 2001, are now operational again, albeit with new labels. The Jaish-e-Mohammad, for example, now calls itself the Tehreek Kuddam-ud-Din.¹³ Maulana Azam Tariq, head of the banned terrorist outfit Sipah-e-Sahaba, and reportedly involved in 20 cases of sectarian killings, was allowed to contest the October 2002 general elections as an independent candidate while he was in prison. He won a National Assembly seat and was subsequently released. Hafiz Mohammad Saeed, who heads the outlawed Lashkar-e-Taiba, was also set free. Both Saeed and Tariq went on to make inflammatory speeches against the United States and India. "We will continue jihad in Kashmir, Palestine, Iraq and Afghanistan. We are ready to face arrests, but we will not give up jihad," Saeed reportedly said. Saeed's remarks came at the organization's annual convention, where anti-Hindu polemic was on undisguised display:

Last month, Jamaat's [Jamaat-ud-Dawah, the renamed Markaz Dawat wal'Irshad, which is the parent organization of the Lashkar-e-Taiba] annual congregation was held in Patoki, Punjab (80 km away from Lahore). The three-day convention was very successful in warming the blood of the holy warriors for the cause of jihad. A lot of anti-India speeches were made that were very provocative and emotional and could have charged one's heart and mind with extreme hatred against the [*sic*] India and the Hindus.

The acting chief Hafiz Abdul Salam addressing the millions of participants said: 'Jamaat[ud-Dawah] will not confront with the

[Pakistan] army [*sic*], but continue to wage jihad in the world. War with the infidels will not end through negotiations but through fighting. There is no possibility of compromise with the infidels."¹⁴

Terrorist groups and their controllers in the Pakistan military and intelligence establishment have broadly succeeded in sustaining the thresholds of violence established in 1990, but at levels short of those they believe would actually provoke a war with India. Ever since the Telegraph Office bombing, the contestation between Indian forces and terrorist groups has led to upward and downward movements in violence, but there have been no radical discontinuities. The changing governments in India, Pakistan, and Jammu and Kashmir have not had a major impact on the course of events, at least in a purely military sense. Put simply, Pakistan's military establishment seems able to twist the tap in response to international pressure upon it to deescalate, but sees no compelling need to actually turn off the flow. For the best part of a decade and a half, the Indian security establishment seems to have been unable to conceive of a workable response, military, covert or economic. Should Pakistan-backed violence continue, however, it is probable India's patience will sooner or later start to wear.

Cadre, Class, and Ideology

Who were the insurgents who began to wage war on the Indian state in 1988 and have repeatedly brought two nuclear-weapon states to the edge of full-blown conflict? What were their beliefs, and how did these change over the next decade and a half? How were the young men who set off the bomb blast at the Telegraph Office different from those now fighting in Jammu and Kashmir?

There is almost no literature on the precise social composition of the first terrorists to cross the Line of Control for training in Pakistan. One author has described them as "in the main young, students, youth without jobs, or under-employed youth, mainly city-bred and educated."¹⁵ Yet several key members of this first generation of terrorists defy this definition. Mushtaq Ahmad Zargar, released from prison in the Indian Airlines Flight 814 hostages-for-prisoners swap of 1999, was the son of a goldsmith who went on to own his own copper and brass utensil manufacturing store.¹⁶ There is a regrettably thin volume of primary data on Zargar's peers. A 1994 study reported 68% of trained terrorists earned between Rs. 500 and Rs. 1,000 per month, and another 11% between Rs. 1,000 and 2,000. Only 19% were classified as dependants.¹⁷ Forty-two percent worked as laborers, while 19% were students, 22% farmers, and 14% petty traders. These wages, although modest, would have placed the

cadre of the terrorist groups well outside the category of the absolute poor, for annual per capita income in Jammu and Kashmir for 1979–80 stood at Rs. 1,301.¹⁸

This data needs to be read against the particularities of the economic structure of Jammu and Kashmir. A key component of the National Conference's post-independence agenda was the redistribution of land held by large landlords, mainly Hindu, to cultivators.

Our peasantry was the living symbol of the oppression of our common people. The jagirdars and chakdars [hereditary landowners] exploited them to such an extent that just to stay alive during winter, they had to migrate to the plains. We decided that no one individual should be permitted to hold more than 182 Kanals [approximately 500 square meters] of land. [The] Rest of the land should be distributed among the peasants free of cost. In this manner we abolished 396 big jagirs [hereditary holdings] and took away four lakh acres from a little over nine thousand land owners. Some two lakh peasants were given property rights over their lands. Only groves were exempted.¹⁹

The exemption of fruit orchards, as well as the urban bourgeoisie and petty bourgeoisie from the reform process created two near-distinct economies: the reform economy, of small peasants, and the non-reform economy, of artisans, orchard-owners, and small businessmen. There is some evidence that this non-reform sector was in some distress in the early 1980s, when the first generation of Tanzeem leaders would have been forming themselves. Tourist arrivals into the Kashmir valley, both foreign and Indian, dropped sharply between 1982 and 1984. This mirrored a general decline in the numbers of foreign tourists visiting India.²⁰ Although tourist arrivals surged again from 1985 onwards, few new jobs may have been created in this sector through the decade. The export of fruit to market outside the state similarly showed a steady decline between 1985 and 1988.²¹ Signs of distress in the non-reform sector are also reflected in the decline in the numbers of trucks using the key Srinagar–Jammu road route.²² In stark contrast, however, the reform sector continued to flourish. The production of paddy, wheat, and maize grew rapidly, as did the availability of cereals to consumers.²³ This apparent prosperity, however, may need closer examination. There is considerable anecdotal evidence that the younger sons of reform farmers were being pushed off the land, since holdings could not sustain further fragmentation. If so, the non-reform sector of the early and mid-1980s may not have been able to meet the pressures imposed upon it.

It is interesting that much of the first-generation leadership of the terrorist groups, like Zargar, came from the non-reform sector. The JKLF's Mohammad Yasin Malik was the son of a bus driver; his aide, Javed Mir, a plumber. Hizb-ul-Mujaheddin chief Mohammad Yusuf Shah, better known by his somewhat vain *nom de guerre* Syed Salahuddin, in turn, came from a family with orchard interests. Some Indian leaders, notably then-Governor Jagmohan Malhotra, are reported to have shot down plans to infuse capital into the orchard sector, arguing their owners "sheltered the terrorists."²⁴ This class alliance of the rural and urban bourgeoisie and petty bourgeoisie also generated some unexpected ideological affiliations. Malik, for example, campaigned during the 1987 elections for the Hizb's Shah. Shah was a candidate of the Muslim United Front, a coalition of Islamist organizations explicitly set up to oppose the supposed secularism of the National Conference and Congress. (I). Among the first pre-election moves of one of its leading luminaries, Maulvi Qazi Nisar of the south Kashmir-based Ummat-e-Islamia, was to defy official restrictions on the sale of meat on the occasion of the Hindu festival of Janmashtami.²⁵ Similar mobilizations on religious themes were common, most famously to protest against Salman Rushdie's *Satanic Verses*. Ironically enough, Nisar himself, like Maulvi Mohammad Farooq, was later assassinated by a shadowy Pakistan-based organization called the Green Army.²⁶

What meaning do these blurred lines have for viewing the contours of terrorism in Jammu and Kashmir? JKLF leaders have, in public discourse, sought to differentiate their ideological postures from Islamist formations, notably the Hizb-ul-Mujaheddin. Its official manifesto demands that the state of Jammu and Kashmir as it existed prior to 1947 be united as "one fully independent and truly democratic state." It advocates "equal political, economic, religious and social rights" for all citizens "irrespective of race, religion, region, culture and sex."²⁷ This position, broadcast through the media, has led to the formation of an extraordinary consensus that the organization is essentially secular-democratic in character, a representative of ethnic Kashmiri nationalism playing a role not wholly dissimilar to that of the National Conference before the accession of Jammu and Kashmir to India. What this argument misses is that the dividing lines between Kashmiri nationalism and religious fundamentalism – as, of course, with other subcontinental nationalist movements – has been exceedingly thin. It was only in 1938 that the National Conference formally admitted non-Muslims to its ranks. Even after this date, communal invective occasionally figured in its discourse. Consider, for example, this extraordinary passage from *Flames of the Chinar*:

The Mughal rulers of India won over the loyalty of the Kashmiri Pandits and used them as informers and spies against the Muslim nobility. Emperor Akbar participated in their festivals and gifted jagirs to them. Even Aurangzeb continued this policy. The Afghan period in the eighteenth century (the Afghans invaded Kashmir under Ahmad Shah Durrani in 1753) was the darkest in the history of Kashmir. As usual, the Kashmiri Pandits sided with the oppressive rulers. ... When the people of Kashmir revolted against the [*sic*] totalitarian rule, the Dogra maharaja used the Kashmiri Pandits against them.²⁸

I am not suggesting that the National Conference was, or is, a communal organization. Rather, a stated commitment to secular democracy can appropriate communal rhetoric; or, alternately, the practice of communal politics can exist within the meta-structure of a secular political organization. The practice of the JKLF's politics through the late 1980s and early 1990s was at a considerable distance from its stated position. Farooq Ahmad Dar, widely known by his *nom de guerre* Bitta Karate, was implicated in a series of assassinations directed at the Kashmiri Pandit community, leading to a near-complete exodus by the autumn of 1990. In a television interview carried out shortly after his arrest, he asserted several of those killings had been carried out on the orders of top JKLF leader Ishfaq Majid Wani.²⁹ The JKLF also made available its organizational resources to Jamaat-e-Islami cadre; in the words of one commentator, "Jamaat activists went through the JKLF mill."³⁰ Independence and Islam were interchangeable slogans:

[T]he JKLF group decided to raise their profile in Srinagar and disprove charges made by the National Conference activists that they were Congress agents. The forum chosen for the action was the Friday namaz [prayer congregation] at the Jama Masjid, where on any similar occasion 30–40,000 people gather. As soon as Maulvi Farooq finished the prayers, the JKLF boys dispersed amongst the crowd and raised slogans – *Islam zindabad* [long live Islam; italics not original] and *Hum chahten hein azadi, azadi* [we want freedom; italics not original].³¹

I have also been unable to find any express JKLF condemnation of the welter of rapes and killings carried out on supposedly Islamic grounds during this phase of terrorism. These included attacks on stores stocking

liquor and bars, a ban on beauty parlors, the prohibition of cinema, as well as the throwing of acid on women who did not wear veils. Such attacks have, since they first took place in 1989, been a recurrent motif of the violence in Jammu and Kashmir.³² Defiant women were shot in the legs. Entertainment believed to be immoral was also targeted, notably cable television.³³ One particularly gruesome killing was the 1993 murder of Shamima Parveen, the first woman to perform in the traditional Kashmiri satirical dance-drama form, the Bhaand Pather. Parveen was sexually abused and tortured before being shot for her refusal to abandon her theatrical work on television.³⁴ More recently, terrorists have insisted that women students in the border district of Rajouri should wear veils or stop attending school.³⁵ At least one insider account, authored by the 1971 hijacker Hashim Qureshi, has claimed that these outrages were official Pakistan policy, endorsed not just by the Islamic Right but the supposedly "moderate" Amanullah Khan faction of the JKLF.

Maulavi [*sic*; Maulvi Mohammad] Farooq was martyred just because he preached three things (a) now when you have taken up the gun raise only the slogan of independence (b) you will not get international support if you raise the slogan of accession to Pakistan and of Nizam-e-Mustafa (c) protect minorities especially the Kashmiri Pandits so that the movement does not get a communal color. Maulavi Farooq was assassinated for these reasons. *The ISI [Inter-Services Intelligence] ran this movement on communal lines right from the beginning and for that Amanullah and his underlings became its agents* [italics not original].³⁶

Whether one believes Qureshi or not, the continuity of terrorist ideology and practice across time and organizations is unmistakable. Each periodic assault on women's rights, for example, produces renewed horror, but little realization that there is nothing new or exceptional about the outrage. Many women's accounts of events during the period of terrorist violence seem to suggest the levels of terror were actually higher when the supposedly moderate JKLF and Hizb dominated the landscape.

In the worst days of turmoil, militants dictated much of what happened in civil life. Says Tanvir Jehan, the first and only female District Commissioner in the state, 'Till 1995, I too would do exactly what they dictated.'

Fundamentalist groups imposed 'rules' – women were pushed into purdah (the veil), deprived of access to contraception and abortion,

and prevented from moving freely. And, tragically, no voices were raised within the state establishment to dispute these.

Dr Asma Khan, one of the senior gynecologists [*sic*] at the Lal Ded Maternity Hospital, the only functional gynecological [*sic*] government hospital in Srinagar, says, 'Before this problem, there was a growing awareness of contraception in the state, and vasectomies and tubectomies were routine. But for several years now no vasectomy has been performed; tubectomies have been attempted only in cases where another pregnancy could be life-threatening.'³⁷

Some commentators have sought to make sharp ideological distinctions between the political sponsor of the Hizb-ul-Mujaheddin, the Jammu and Kashmir Jamaat-e-Islami, and those of new formations like the Lashkar-e-Taiba. In a 2002 essay, Yoginder Sikand argued that while the Jamaat-e-Islami sought to place the war in Jammu and Kashmir within an Islamist discursive framework, of a war between disbelief and Islam, it was not explicitly communal in character.

Three features are of particular importance in Geelani's description of the jihad. Firstly, the jihad is seen as directed against the Indian state and its agents, not against Hindus or Indians as such. Secondly, the jihad has the limited goal of freeing Kashmir from Indian control. Thirdly, the mujihadin [*sic*] have no intention of intervening in Indian internal affairs after the liberation of Kashmir. Once the Kashmir issue is solved by freeing the territory from Indian control and merging it with Pakistan, India and Pakistan, Geelani writes, will be able to establish peaceful and cordial relations with each other, for the root cause of the tensions between the two countries is the dispute over the issue of Kashmir.³⁸

Such distinctions, while valuable, run the risk, as it were, of losing sight of the forest while identifying the trees. The Mujahideen sponsored by the Jamaat-e-Islami, exactly like the Mujahideen sponsored by the Jaish-e-Mohammad or Lashkar-e-Taiba, have taken part in expressly anti-Hindu activities; Wandhama, discussed earlier in this article, is just one particularly macabre example. While it is true the Jamaat-e-Islami avoids anti-Hindu polemic of the Lashkar-e-Taiba variety, there is no great ideological distance between its aspirations and those of Islamist groups further to the right. The Hizb-ul-Mujaheddin's Shah, for example, has warned on more than one occasion that the logical conclusion of the

campaign in Jammu and Kashmir will be the destruction of India. At a rally in Muzaffarabad in 2001, he demanded that "India should give freedom to Kashmiris at its own without wasting more time." This was because in the event "we achieved it through the gun, then she will not be able to save itself [*sic*] from disintegration."³⁹ More important, Geelani's ideas on the very *basis* for Kashmiri accession to Pakistan are deeply similar to those of groups like the Lashkar-e-Taiba. In matters of faith, belief, and customs, Geelani argues, Hindus and Muslims are irrevocably apart, as they are divided by such matters as food, clothing, and lifestyles. He describes it as being as difficult for Muslims to live in a Hindu milieu as "for a fish to stay alive in a desert." Muslims, he argues, cannot live harmoniously with a Hindu majority without their own religion and traditions coming under grave threat, one major factor being Hinduism's capacity to assimilate other religions. For Islam to be preserved and promoted in Kashmir, it is necessary for it to be separated from India.⁴⁰

Geelani is not impolite enough to say just why Hindus and Muslims may not coexist. Nor does he move on to the rational corollary of his argument – that Indian Muslims cannot live as citizens of secular India either. The Lashkar-e-Taiba's spiritual head, Hafiz Mohammad Saeed, has shown no such squeamishness. The sometimes-up sometimes-defunct website run by Saeed's erstwhile organization, the Markaz Dawat wal' Irshad, claimed that the need for separation was because "the Hindus have no compassion in their religion."⁴¹ In another article, Saeed wrote: "the Hindu is a mean enemy and the proper way to deal with him is the one adopted by our forefathers ... who crushed them by force. We need to do the same."⁴² Sikand has argued that this "sort of anti-Hindu rhetoric is not a prominent feature in Geelani's writings, and thus represents a further radicalization of the Kashmiri jihadist discourse."⁴³ I am suggesting that there is in fact marked continuity of thought and practice; terrorist groups in Jammu and Kashmir, starting with the JKLF but including Lashkar and Jaish-e-Mohammad, span a relatively small part of a black-white ideological spectrum.

Most important, ideologues of the Islamist Right locate the conflict in Jammu and Kashmir within paradigm of a larger south Asian communal conflict. For Saeed, it can be argued, Partition was merely punctuation in a yet unfinished battle between "Hindu" India and Islam, a battle which is in turn part of a larger *jihad* between the true faith and unbelievers everywhere. His colleague, the Harkat-ul-Mujaheddin's Fazlur-Rahman argued: "Delhi, Calcutta, Mumbai and Washington are the real targets of Militants. Muslims should co-operate with militants for dominance of Islam in the world."⁴⁴ Many experts seem to see this

ideology as an imposition on a movement that was, in its supposedly authentic form, secular and nationalist. They might do well to turn to Sheikh Abdullah, ever the astute politician. On an early visit to New Delhi after independence, he "tried to explain the psyche of Kashmiri Muslims. 'There isn't a single Muslim in Kapurthala, Alwar or Bharatpur. Some of these had been Muslim majority states. Try to symbiotically understand the Kashmiri Muslims. They are afraid that the same fate lies ahead for them as well.'"⁴⁵

All-India War

As the *jihad* in Jammu and Kashmir has progressed, the notion of this conflict as a first battle in the war for the defense of Islam throughout India has been increasingly translated into action. The December 13, 2001, attack on Parliament House in New Delhi brought home to India the fact that the war in Jammu and Kashmir had transcended its geographical boundaries.

From the attack on parliament onward, commentators have suggested that the Tanzeems in Jammu and Kashmir have been appropriated by Taliban-inspired organizations. There has, so far, been little hard evidence of direct Taliban or al-Qaeda involvement in Jammu and Kashmir. The sole proof, if it can be called that, is recovery of identity cards from one-time Hizb-ul-Mujaheddin terrorists Zaffar Rathore and Samsher Khan, both Pakistan nationals, who were killed in November 2001. The card identified the terrorists as members of a new group called the Jammu and Kashmir al-Qaeda.⁴⁶ Experts have, however, pointed to the close organizational and ideological affinities of groups active in Afghanistan and in Jammu and Kashmir – for example, through affiliation with the Binori seminary in Karachi – as well as their common sources of patronage in the Pakistan state apparatus.⁴⁷ For instance, a group of terrorists arrested in India were found to have received military training at Yawar camp in Afghanistan, which was run by Jalaluddin Haqqani of the Hizb-e-Islami. Haqqani subsequently commanded Taliban forces in Afghanistan. Three other terrorists arrested between June 1999 and May 2000 said they had attended lectures by Osama bin Laden on the virtues of *jihad*. One among the group, Javed Akhtar Abbasi, claimed he had also met the Taliban's then-Ministers for Power and Defense at Jalalabad to secure a supply of military hardware for their cadre in Kashmir.⁴⁸ This kind of international involvement is not new. Training camps run by Afghan nationals were discovered near Kapran, near Kupwara, as early as 1993.⁴⁹

Yet it may be facile to explain events in Jammu and Kashmir as *only* a consequence of the rise of the Islamist far-right in Pakistan and

Afghanistan. India's first major terrorist group of the Islamic Right was born not in Srinagar, Karachi or Lahore, but in Mumbai. In 1985 activists of the Ahl-e-Hadis' ultra-conservative Gorba faction gathered to speak about the need for armed Muslim resistance to the wave of communal violence India had passed through starting early that year. Two key figures were present at that meeting: Azam Ghauri, who went on to form a Lashkar-e-Taiba-based unit in Andhra Pradesh, and Abdul Karim "Tunda," nicknamed for his deformed arm, who was to go on to become the Lashkar's top operative in India. At the end of the meeting, they formed the Tanzim Islahul Muslimeen (TIM), committed to the defense of Muslims during communal riots. The TIM's early activities were mildly farcical, mimicking those of the ultra-right Hindu organization, the Rashtriya Swayamsevak Sangh (RSS). Cadres who arrived at meetings learned how to use cane *lathis* (batons) and unarmed combat techniques.⁵⁰

Among their most enthusiastic recruits was Jalees Ansari, the son of a textile mill worker. Ansari's father, who had arrived as a penniless laborer from Uttar Pradesh, managed to save enough to give his children a future. In 1972, Ansari graduated from the Maratha College at Nagpara and went on to study at the Sion Medical College. After a brief career at private practice, he joined the Brihanmumbai Municipal Corporation as a Junior Medical Officer. Despite his success, Ansari felt embittered by what he perceived as pervasive religious intolerance. Students and staff at the Maratha College, Ansari was to tell his interrogators, often insulted Muslims at large. Later, Ansari came to believe Hindu colleagues did not treat their Muslim patients with care. Although Ansari claimed to have been a "secular-minded person," the massacre of Muslims during the Bhiwandi riots of 1985 transformed him completely. The demolition of the Babri Masjid and the riots that followed made him – and his organization – snap. Led by Ghauri and Karim, Ansari helped set off a series of forty-three explosions in Mumbai and Hyderabad and seven separate explosions on trains on December 6, 1993, the first anniversary of the Babri Masjid's demolition.

Ansari had been tasked to set off a second series of explosions on January 26, 1994, thirteen days after his arrest. By the time the Central Bureau of Investigations picked him up, however, both Karim and Ghauri had disappeared. Karim is believed to have traveled to Calcutta, and then to Dacca, where he again made contact with the Lashkar network. The Lashkar-e-Taiba commander then responsible for its Indian operations, Zaki-ur-Rahman, took charge of Karim's operations. He now operated through new recruits from the north Indian Muslim community, like Amir Hashim, who went on to execute a series of bomb explosions in New Delhi, Rohtak, and Jalandhar. Ghauri, in turn,

first hid out in Andhra Pradesh, and then traveled on a fake passport to Saudi Arabia. In 1995, Saudi national Hamid Bahajib, a key financier of the Lashkar's India activities who has relatives in Hyderabad, arranged to travel to Pakistan. He later returned to Hyderabad, and before his death in a shootout with the state police, carried out a series of bombings and assassinations in and around the city. One of his colleagues, Abdul Aziz Sheikh, had earlier been arrested for an attempt on the life of the leader of a Mumbai-based Hindu-fascist group, the Shiv Sena.

Pakistan's intelligence services evidently sensed potential in these events well before the December 6, 1992 demolition of the Babri Masjid. Indian intelligence believes that by 1991 efforts were under way to set up an alliance between Khalistan terrorists, then active in Punjab, and terrorist groups in Jammu and Kashmir. The operation, code-named K2, has been attributed to Waqar Ahmad, the Inter-Services Intelligence (ISI) officer in charge of the Babbar Khalsa International.⁵¹ K2 achieved few results, for its key operatives, Manjit Singh and Mohammad Sharif, were arrested in July 1992, soon after their arrival in India. Before then, however, they had succeeded in recruiting a number of smugglers for moving weapons across the Rann of Kutch in Gujarat. Thirteen young men, from New Delhi, Mumbai, Modasa, and Ahmedabad, had actually received training in explosives manufacture and guerrilla warfare in Pakistan and Afghanistan. Indian officials claim Manjit Singh had planned to blow up the stock exchange in Chennai a few days after his arrest.

Efforts to forge these kinds of alliances proceeded on several different fronts. In January 1994, Mohammad Masood Azhar Alvi, who went on to found the Jaish-e-Mohammad in the wake of his release from prison as part of the Indian Airlines hostages-for-prisoners swap of 1999, was dispatched to India. His task was to bring about a reconciliation between the fractious cadre of the Harkat-ul-Mujahideen and Harkat-ul-Jihad Islami, whose parent organizations had merged to form the Harkat-ul-Ansar. At this time, Azhar described the ideological content of his mission in state-specific terms. The organization's main objective, he told his interrogators, was "to liberate Kashmir from Indian rule, and to establish Islamic rule in Kashmir."⁵² Before leaving for Srinagar, where Azhar was to execute his actual mission, he spent considerable time attempting to network with ultra-conservative theologians in Uttar Pradesh, then the principal theater of anti-Muslim communal warfare by the Hindu Right. Sadly, Azhar's interrogators did not ask just what his discussions consisted of, but the effort he made is evident. In the course of three days, he traveled between half a dozen cities, covering hundreds of kilometers. He sought, and in some cases secured, meetings with a who's-who of the Deoband Ullema.⁵³

Despite the failure of K2 and the arrest of Azhar, the fallout of the demolition of the Babri Masjid seems to have encouraged Pakistan's intelligence services to renew efforts at forging pan-India alliances. At the end of 1994, the Inter-Services Intelligence had managed to form the Jammu and Kashmir Islamic Front (JKIF), a body unique at the time for having no affiliation with any secessionist political organization within Jammu and Kashmir. It was believed to have attracted considerable funding from Saudi Arabia-based religious organizations, and drew ideological inspiration from the circle of revanchist preacher Maulana Abdul Rahman Makki. The JKIF's leadership, Sajjad Ahmad Keno, Hilal Ahmad Baig, Bilal Ahmad Baig, and Javed Ahmad Krava, were drawn from the Students' Liberation Front, which had broken from the ranks of the JKLF in the early 1990s. Its task was to work together with the mafia figures who had executed the Mumbai serial bombings of 1993 to retaliate against a Hindu fundamentalist pogrom against Muslims earlier that year.⁵⁴ In 1995, the JKIF released a photograph of one of the key accused in the serial bombings, Abdul Razzak "Tiger" Memon, along with Keno. The photograph, it was then claimed, had been taken in Srinagar. One of the participants in the affair, Usman Majid, has since confirmed long-standing speculation it was in fact taken at a safe house in Muzaffarabad, Pakistan.⁵⁵ Among the JKIF's more murderous acts was a bombing of the busy Lajpat Nagar market in New Delhi in 1996, which claimed a dozen lives.

By 1998 the JKIF was in near-terminal demise. The ideas it was founded on, however, flourished. That summer, the Jammu and Kashmir Police's Special Operations Group (SOG) killed the Hizb-ul-Mujaheddin's top Kashmir valley commander, Ali Mohammad Dar. Better known by his *nom de guerre* Burhanuddin Hijazi, Dar was among the organization's best strategic minds. Dozens of pages of hand-written notes were recovered from Dar's temporary Srinagar hideout, perhaps ideas for communication to the Hizb-ul-Mujaheddin's Shah. Page 66 of the Dar diaries suggests new courses of action on an all-India basis. "Ways and means should be found," it records, "to launch the movement in India on [a] priority basis." This can be achieved by "above all, a system of launching and logistics working to push through in a better way." To do this, he suggests a broad linkage with criminal organizations elsewhere in the country. "Kinpins of the underworld [should] be contacted," Dar advocated, "to have the weapons and ammunition launched for us through other possible ways." "A cell of three persons" would work "to develop relations with underworld beings [*sic*] like Dawood Ibrahim and trying to have a project of counterfeit currency."

Dar's diary is significant not for the practicability of its suggestions, but in making clear that those public declarations of the Hizb-ul-Mujaheddin and Lashkar-e-Taiba are not mere polemic. In one sense, the need for these outward linkages is merely infrastructural, connected to the movement of funds from outside India to terrorist units in Jammu and Kashmir. Dar's own death, for example, was linked to the investigation, in July 1997, of terrorist-linked *Hawala* operators in the capital city, a probe provoked in part by a media expose of the organic links between money laundering and secessionist politics in Jammu and Kashmir.⁵⁶ But there is undoubtedly a larger ideological agenda underpinning this tactical activity. The Hizb-ul-Mujaheddin had, in December 1998, promised to take the "war against India outside Jammu and Kashmir," and threatened to "move towards Delhi."⁵⁷ Then, the December 1998 issue of *Majallah al-Dawat*, the in-house magazine of the Markaz Dawat wal'Irshad, reported the organization's belief that its campaign in Jammu and Kashmir was "just the beginning," and described its plans to extend its activities throughout India.

Pakistani nationals have, in recent years, come to play an increasingly direct role in these activities. Ghauri's death was preceded, in July 1998, by the arrest at Hyderabad of top Lashkar activist Mohammad Salim Junaid, a resident of Kala Gujran village in Pakistan's Jhelum district. Junaid had begun his career with the Lashkar-e-Taiba in 1991, as a foot soldier for the *jihad* in Jammu and Kashmir, rising rapidly through the organization's hierarchy as a protégé of Azam Cheema, in charge of transborder movements of the Lashkar-e-Taiba. Wasim Akbar, shot dead by the SOG in 2001, is believed to have been responsible for a bomb explosion in Jalandhar, Punjab. In May 1998, another key Lashkar-e-Taiba member active in Uttar Pradesh, known only by his alias Abu Talha, was killed in an encounter with the SOG in Srinagar. Then, on July 30, 1998, the Delhi Police arrested three other members of the "Tunda" cell, led by Abdul Sattar, a resident of Islamnagar in Pakistan's Faisalabad district. With his colleagues Shoaib Alam and Mohammad Faisal Hussain, Sattar had put together a base in the famous pottery town of Khurja, Uttar Pradesh. The group had built a bunker under a pottery kiln for the storage of explosives. There is considerable evidence that groups like the Lashkar-e-Taiba have been able to set up a wide pan-India support network through which operatives are able to obtain cover identities. Junaid, for example, had married a Hyderabad woman and set up a spare-parts export enterprise. Similarly, Lashkar operative Zahid Hussain tried to set up a business after being tasked to set up bases outside Jammu and Kashmir.

Some time towards the Middle [*sic*] of May, 2000, Abid reached Aligarh along with Abu Haibthullah, [a Lashkar-e-Taiba Amir] and father of Abid. Haibthullah used to accompany Abu Mohammad, [the] Divisional Commander of the Let [Lashkar-e-Taiba]. Haibthullah enquired about my progress to settle down in Aligarh. I told him that I have contacts with Arif of Amroha whose elder brother was dealing in jeans. So, I would also try to start selling jeans.⁵⁸

Very little is known about the Pakistani jihadis operating in Jammu and Kashmir. The notion that the Islamic Right's welfare activities are responsible for recruiting these cadres has been elevated to canon and permeates non-specialist discourse. "The extreme Islamic seminaries in Pakistan that indoctrinated so many Taliban leaders," writes Naomi Klein, "thrive precisely because they fill a huge social welfare gap. In a country that spends 90 percent of its budget on its military and debt – and a pittance on education – the madrassas offer not only free classrooms but also food and shelter for poor children."⁵⁹ While this might well be the case, there seems to be no causal relationship between extreme poverty and recruitment by the Islamist far-right. Masood Azhar, for example, studied in a state-run school, from which his relatives removed him for ideological reasons.⁶⁰ The Lashkar's Zahid Hussain, for his part, never studied in a Madrassa; he passed his tenth grade from the government higher secondary school at Ladayawala and went on to work as a tailor in Jeddah, Saudi Arabia, before being motivated by close friends to join the jihad.⁶¹ In none of the cases I have studied does there seem to be link between real poverty and recruitment. Mohammad Suhail Malik's maternal and paternal relatives both owned factories, while many immediate relatives worked in Saudi Arabia and the United States of America.⁶² In a south Asian context, this would place the family firmly at the upper end of the economic ladder.

In India, too, the appalling poverty of many Muslims seems to have little to do with terrorist activity. Rather, as Hindu fundamentalist violence expands horizontally and vertically, Pakistan-based groups of the Islamist Right are finding it increasingly easy to find recruits and bases of support in India. Late in 2002, the Tamil Nadu police uncovered that a new Lashkar-e-Taiba-backed organization, the Muslim Defense Force, had planned to "eliminate staunch Hindu hardliners who were striking the Hindutva [Hindu nationalist] chord."⁶³ State police arrested several suspects, some with links to Lashkar supporters in Saudi Arabia. Earlier, underworld figure Aftab Ansari organized an attack on a United States government building in Kolkata, a joint

enterprise with the Syed Umar Sheikh, the Jaish-e-Mohammad leader convicted of having assassinated American journalist Daniel Pearl.⁶⁴ Soon afterwards, the West Bengal Police arrested Fazl-e-Karim, a Harkat-ul-Jihad Islami operative believed to have been involved in the training of al-Qaeda cadre sent for training in neighboring Bangladesh.⁶⁵ To the west, the Gujarat Police believe sympathizers in the local Muslim community aided the two Pakistani nationals who carried out an attack on the Akshardham Temple to avenge the anti-Muslim pogrom of 2001.⁶⁶ Cadres of the now-proscribed Students Islamic Movement of India, mainly from Maharashtra, are even believed to have trained with terrorist groups in Doda.⁶⁷

Terrorism in Jammu and Kashmir is influenced by ideas far transcending its geographical location; increasingly, terrorists are seeking to break out of the confines of the state. The Islamic Right has been successful in linking a local conflict to larger issues of communal identity; in weaving the legacy of Partition into the war in Jammu and Kashmir; and in locating this struggle in a larger, global enterprise of pan-Islamic mobilization that conceives as its end nothing less than the destruction of the fractious world of the unbelievers and the final establishment of the world of peace under Islam. It is not for nothing that Omar Sheikh, in his prison diaries, said that he looked on New Delhi as a "future conqueror, as I fondly imagined myself to be."⁶⁸ The decade and a half of carnage in Jammu and Kashmir is, undoubtedly, in part the consequence of factors specific to the state. It is at the same time, and I would suggest in far more important ways, the consequence of the ugly communal war in south Asia that has played itself out for over a century. To understand the violence in Jammu and Kashmir simply in terms of events specific to the state is to ignore its location in history. In key senses, the conflict there is merely part of a larger conflict between profoundly ideological notions of nationhood; between India's sense of itself as a secular democratic project, however flawed, and between Pakistan's problematic *raison d'être* as a nation made up of *all* of South Asia's Muslims. Jammu and Kashmir was important to both Jawaharlal Nehru and Mohammad Ali Jinnah for precisely this reason. The failure of successive Indian governments to vigorously defend its secular culture has, tragically, contributed to the nightmare it now confronts.

To understand the horror-house Jammu and Kashmir has become, then, one must cease to look at the exhibits and consider instead its architects and their place in the world that led to its construction. There is here an irreducible ideological opposition. No simple resolution is possible till one or the other system succumbs – India must either

abandon the plural democracy that was the founding principle of its struggle for independence and mirror the Pakistani model to reinvent itself as an exclusionary Hindu state, possibly engendering mass killings which may dwarf Partition itself in scale; or Pakistan must find a way to re-imagine the basis of its own national identity. Pakistan's military establishment, unlike many well-meaning liberal commentators, understands that there is no nice, reasonable solution to the irreducible conflict of ideas under way in South Asia. For Pakistan, the *jihad* in Jammu and Kashmir marks the point at which the space between state policy and faith vanish. This notion helps explain why top Inter-Services Intelligence officials could attend the Lashkar-e-Taiba's convention in November 2002, despite international condemnation of the organization.⁶⁹ The sheer intensity of this understanding is reflected in the former Pakistan Army Brigadier S. K. Malik's declaration that:

Terror struck into the hearts of the enemies is not only a means, it is the end in itself. Once a condition of terror into the opponent's heart is obtained, hardly anything is left to be achieved. It is the point where the means and the end meet and merge. Terror is not a means of imposing [a] decision upon the enemy; it is *the decision* we wish to impose upon him.⁷⁰

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US Policy and the Kashmir Dispute: Prospects for Resolution

DEVIN T. HAGERTY

The India-Pakistan dispute over Kashmir has vexed US policymakers since 1947.¹ Indeed, it is difficult to identify an international political conflict that has for so long proved so utterly resistant to resolution.² Over the years, the United States has pursued a variety of approaches to the Kashmir problem: unilateral initiatives, bilateral efforts with the United Kingdom, and multilateral proposals under UN auspices.³ All have come to naught.⁴ At other times, frustrated US leaders have tried to wash their hands of the whole quandary, only to see it reemerge even more virulently. Among contemporary American foreign policy elites – scholars, government officials, journalists, and private analysts – "intractable" is the preferred adjective for the Kashmir conflict. As a senior US official recently remarked:

Today, the Indo-Pakistani relationship is less developed than that between the United States and the Soviet Union at the height of the Cold War. ... In the absence of the most basic contacts and the most minimal lines of communication, tension between India and Pakistan constantly risks sparking a broader conflict with potentially cataclysmic consequences ... for India, for Pakistan ... and ... for the United States.⁵

Despite this long record of diplomatic futility, a number of nongovernmental South Asia experts now discern a significant opportunity for Washington to help initiate a process that will ultimately allow New Delhi and Islamabad to resolve the Kashmir dispute.⁶ In making this case, analysts point to several developments whose convergence, they say, creates a regional geopolitical climate more conducive to conflict resolution than any witnessed in recent decades. First, the events of September 11, 2001 (hereafter 9/11) and the subsequent war against terrorism have generated an increased US willingness to maintain a sustained diplomatic engagement with South Asia as a whole and with India-Pakistan relations in particular.

Second, India, Pakistan, and the United States are all officially committed to ending the scourge of transnational terrorism that plagues the region; thus, in a sense, they are for the first time on the same side regarding the international system's most fundamental divide. Third, Washington today has generally solid relations with both New Delhi and Islamabad, another unprecedented state of affairs. Fourth, national and provincial elections in 2002 have at least begun the tentative process of restoring Pakistan's polity to institutionalized civilian governance. And, fifth, the 2002 state assembly elections in Jammu and Kashmir constitute an important step toward political normalization in the long-beleaguered Indian state. In short, from this relatively optimistic perspective, the United States now has a "unique opportunity ... to shift from intermittent attempts at crisis prevention to a more lasting effort to build a process that features political reconciliation."⁷

Other nongovernmental analysts disagree.⁸ One argues that there is "no good reason to believe that the war on terrorism, as currently constituted, provides a 'window of opportunity' for bridging India-Pakistan differences."⁹ From this standpoint, more ambitious US efforts to help generate a permanent solution to the Kashmir conflict likely would fail: "episodic crisis management and behind-the-scenes facilitation, however cumbersome and unsatisfying, are feasible, effective, and more commensurate with US interests."¹⁰ An even less hopeful variant of this argument posits that "the American illusion about a negotiated settlement feeds the Pakistani delusion that it will be able to change the territorial status quo in Kashmir in its favor by manufacturing crises that threaten to escalate to nuclear confrontation."¹¹

US policy tends toward pessimism. While occasionally expressing faint optimism about the prospects for conflict resolution in Kashmir, US policymakers routinely offer the vaguest of formulas for moving in that direction. A recent example is typical: "now it is time for India and Pakistan to do their part to resume diplomatic dialogue at the earliest possible opportunity. This dialogue will have to address all the issues that divide them, including Kashmir. A lasting settlement, which reflects the views of the Kashmiri people, can only be achieved through dialogue."¹² According to another senior US official, "the United States does not hold in its pocket any secret plan or framework for this solution."¹³

The chances for resolving the Kashmir dispute are undoubtedly low. However, the strong possibility – even probability – of failure should not inhibit analysts from thinking through the difficult challenges that would need to be overcome in order to achieve a just and stable solution to the problem. Nor should the US government rule out pursuing a more proactive role in resolving the conflict. Like it or not, the United States is the "sole pole"¹⁴ in a unipolar world. When it comes to the world's most difficult international political disputes, Washington can either lead or sit on the sidelines and ultimately bear the brunt of its own passivity. Leadership requires more than devising policies that are guaranteed to work; it also involves taking risks on bold initiatives that may fail, but whose unlikely success would produce greater stability in a tense and fluid international system. In today's South Asia, a failed US initiative would have minimal costs: short of yet another dangerous crisis, India-Pakistan relations could scarcely be at a lower ebb.

At the same time, the benefits of a subcontinental *rapprochement* would be enormous. The people of Kashmir could live in peace for the first time in fourteen years. Social and economic development could resume in an area that is among the least developed in all of India and Pakistan. New Delhi and Islamabad could break the stubborn pattern of acrimony that too often degenerates into war-threatening crises. Both sides could stop wasting precious resources on defending their positions in Kashmir. Over the longer term, a Kashmir settlement would almost certainly spark a generalized Indo-Pakistani *detente* that could bring tangible economic and social benefits to more than a billion people. For India, Pakistan, and the United States, resolving the conflict would help to prevent what appears to be an increasingly likely and ominous development: the relocation of al-Qaeda's terrorist epicenter from Afghanistan to Pakistan. One final benefit would accrue for the world as whole: a dramatically decreased likelihood of nuclear weapons being used in warfare for the first time since 1945.

The remainder of this article examines the admittedly slim prospects for settling the Kashmir dispute and the role Washington might play in such a process. The next section fleshes out several concepts that will be useful in the subsequent analysis: "strategic stability," "conflict management," "conflict resolution," "arms control," and "confidence-building measures." Its purpose is to carefully define common, but sometimes ambiguous or conflated, terms, so as to ensure that the analysis is as clear as possible. The article's third section is a concise

history of US policy on Kashmir; it is intended to set the stage for an examination of the contemporary conflict-resolution climate. Section four argues that only one conflict-resolution option seems even remotely viable: a phased conversion of the existing Kashmiri Line of Control (LOC) into an internationally recognized border between India and Pakistan.¹⁵ While acknowledging that the prospects for such a development are poor, it discusses the inhibitions to settlement, how these might be overcome, and ways in which the United States can perhaps be helpful in generating momentum toward reconciliation.

Strategic Stability and Conflict Management¹⁶

Washington's most fundamental goal in South Asia should be "strategic stability" between New Delhi and Islamabad. Strategic stability can be defined as a relationship between two adversaries where the likelihood of major political conflict is low, the likelihood of any such conflict escalating to war is low, and, in the event that it *does* erupt, the fighting is as limited as possible in duration and destruction. Strategic stability can be enhanced by a variety of policies known collectively as "conflict management." Conflict management takes three main forms: "conflict resolution," or the settling of international political disputes; "arms control," which aims at reducing states' armed forces, configuring those forces in non-threatening modes, and/or deploying them in non-provocative postures; and "confidence-building measures," which are intended to increase transparency, political-military communication, and mutual reassurance.¹⁷

Conflict management can be conceptualized in terms of three concentric circles. At the core, symbolizing its greatest efficacy in promoting strategic stability, is conflict resolution. In the second ring, symbolizing its lesser – but not negligible – efficacy, is arms control. In the outer ring, symbolizing their even lesser – but still not negligible – efficacy, are confidence-building measures. For any adversarial relationship, conflict resolution is the preferred type of conflict management; after all, if the underlying political conflict between two countries is resolved, that mitigates the need for acutely militarized security postures and thus for arms control and confidence-building measures. Absent conflict resolution, arms control is the preferred method of conflict management; if the respective armed forces can be deployed at the lowest possible levels, in the least threatening configurations, and in the least provocative postures, the potential for

actual military conflict will be minimized, as will the resultant devastation. If conflict resolution and arms control prove futile, confidence-building measures are of limited usefulness, but still better than nothing.

This concentric-circles conceptualization illustrates not only the fact of different conflict-management policies, but also the relationship between them. Conflict resolution is an inherent subset of both arms control and confidence-building; in other words, to resolve an underlying political conflict is also, in a sense, to control arms and build confidence. In turn, arms control is inherently a subset of confidence-building; to control arms is also to build confidence. This is not to say, of course, that the three types of conflict-management policies identified here are mutually exclusive. In practice, a strategically stable relationship will exhibit elements of all three, and the relationship's custodians – diplomats, military officers, politicians – will scarcely be aware of which ones they are following. The ideal-type strategically stable relationship is one in which a seamless web of conflict management policies ensures political-military harmony. The ideal-type strategically *unstable* relationship would be one in which conflict management policies are either nonexistent or so underdeveloped as to be ineffective. In such a situation, the main hope for avoiding major war rests on crisis management, which is the least comforting tactic of all.¹⁸

A Brief History of US Policy on the Kashmir Conflict¹⁹

In the late summer of 1947, the communal rioting accompanying the independence and partition of India and Pakistan began to spread from Punjab into the princely state of Jammu and Kashmir (hereafter referred to by the shorthand "Kashmir"). While Kashmir's Hindu maharaja, Hari Singh, hesitated on the question of accession to India or Pakistan, a Muslim revolt erupted in Poonch, in western Kashmir. The Poonch rebels established a provisional government in what they called "Azad ('Free') Kashmir." In October, some 2,000 to 3,000 armed raiders, mainly Pathans from Pakistan's Northwest Frontier Province, crossed the border between West Pakistan and Kashmir, rallying behind the rebels. The Pakistani government provided material support to the Poonch rebels and their Pathan allies, who together made fast progress toward the state capital of Srinagar. With his domain on the verge of collapse, Hari Singh signed Kashmir's accession to India on October 26, 1947. The next day, the Indian government began airlifting troops and

supplies to Srinagar. In the ensuing fighting, the Indian army drove the insurgents out of the capital.

In January 1948, with a military stalemate at hand, India referred the Kashmir dispute to the UN. India charged that the invasion by military forces from outside the state had been illegal given Kashmir's accession to India in October 1947. In turn, Pakistani diplomats alleged that India had fraudulently achieved Kashmir's accession. In April 1948, the UN Security Council adopted a resolution calling for the removal of all outside military forces from Kashmir, except for such Indian forces as would constitute the minimum necessary to uphold law and order, and for a subsequent plebiscite to decide the state's political future. In July, a UN Commission on India and Pakistan (UNCIP) traveled to Kashmir to begin laying the groundwork for a plebiscite. Upon UNCIP's arrival, Pakistan admitted that regular Pakistan army troops were fighting in Kashmir, and that the Azad Kashmiri irregulars also fought under the operational command of the Pakistan army. The direct involvement of the Pakistan army in Kashmir, not previously confirmed, represented for UNCIP a material change in the situation. The Kashmir dispute was now understood to be a fully fledged international political conflict, a more serious and potentially much more dangerous affair. In August 1948, UNCIP adopted a resolution calling for an immediate ceasefire and reaffirming the need for a plebiscite to decide Kashmir's political future. After a period of further negotiations and continued fighting during the autumn, a ceasefire finally went into effect on January 1, 1949. UNCIP's work was formalized in a January 5 Security Council resolution.²⁰

US Policy, 1947-63

In the late 1940s, South Asia did not figure prominently in American foreign policy. With cold war crises detonating around the world, Washington had little regional expertise and few resources to devote to India-Pakistan relations. When the Kashmir conflict erupted, the Truman administration "feared that the continuation of that dispute might lead to war between the two dominions, thus jeopardizing all US interests in the subcontinent." By 1949, the Central Intelligence Agency was warning that the smoldering conflict might lead to all-out war, severely destabilizing the region and providing the Soviets with an opportunity to expand their influence southward. Despite these concerns, US officials were reluctant to invest scarce diplomatic time

and energy in helping to resolve the dispute. At first, US policymakers "devoted relatively little attention to what seemed initially a mere legal controversy in one of the world's most remote areas." Once Washington grasped the seriousness of the standoff, it distinctly preferred UN to US involvement. Owing to its other global commitments, the United States "consciously rejected any activist or leadership role in the scheduled Security Council debates. It opted, instead, to exert its influence with the two parties in a quiet, low-key fashion." Washington also worked closely with – and often deferred to – London. In both capitals, the prevailing view was that an independent Kashmir was not desirable due to the prospect of Balkanization and consequent Soviet exploitation. The two sides agreed that there was "but one realistic solution" to the problem: a free and fair plebiscite.²¹

Conditions favoring a plebiscite have never developed. The first plebiscite administrator was Admiral Chester Nimitz, the commander of US naval forces in the Pacific during World War II. Nimitz's efforts were undermined by ongoing Indo-Pakistani differences concerning the withdrawal of military forces and the administration of Kashmir during the voting. These and related disagreements would continue to prevent India and Pakistan from taking serious steps toward conflict resolution in 1949 and beyond. The early 1950s brought a number of attempts to jumpstart reconciliation, including failed missions to South Asia by Australian jurist Owen Dixon (1950), former US Senator Frank Graham (1951-53), and President Eisenhower's emissary, Paul Hoffman (1953). Dixon found the prospects for resolution so dim that he told the Security Council: "I have formed the opinion that if there is any chance of settling the dispute over Kashmir by agreement between India and Pakistan it now lies in partition and in some means of allocating the Valley rather than an overall plebiscite." Meanwhile, Washington "regarded the problem as a serious dispute between two countries with which it had friendly relations, but not as an issue involving vital US interests. Kashmir also appeared to be the type of regional dispute that the UN should be able to resolve, especially as India's original suggestion for a plebiscite provided a basis for settlement."²²

As the 1950s wore on, cold war politics militated against the solution envisioned by the UN. Indian leaders were incensed by the strategic courtship between the United States and Pakistan in 1953-54. Indian Prime Minister Jawaharlal Nehru was convinced that one of Washington's motives in enlisting Pakistan into its evolving alliance

system was to "check India's power within the region." Nehru wrote one of his ministers: "the United States imagine that by this policy they have completely outflanked India's so-called neutralism and will thereby bring India to her knees. Whatever the future may hold, this is not going to happen. The first result of all this will be an extreme dislike of the United States in India." Serendipitously, the new US military relationship with Pakistan gave Indian leaders ample justification for their already waning interest in a Kashmir plebiscite. As one diplomatic history puts it, "since India was already in possession of the most desirable portion of Kashmir, and since the overwhelming Muslim majority in the state made a vote to join Pakistan the most likely outcome of a fair referendum, a postponement of the plebiscite clearly served India's interests." After Moscow enthusiastically endorsed the Indian position on Kashmir in 1955, the Soviet Union's Security Council veto ensured that no adverse solution would be imposed upon India.²³

Subsequent efforts at international mediation yielded little. They included a second mission to South Asia by Frank Graham in 1957, as well as an ill-fated initiative by Washington and London in the aftermath of India's defeat in the 1962 China war. With India's security vulnerabilities having been exposed by China's successful invasion, President Kennedy's aide Averell Harriman and British Commonwealth Secretary Duncan Sandys persuaded a reluctant Nehru to enter into bilateral discussions with Pakistan in early 1963.²⁴ Five rounds of talks produced no progress on Kashmir, in large part because Pakistan and China in March 1963 "settled" their own territorial dispute in an agreement that gave China some 2,000 square miles of disputed Kashmir. Indian leaders were predictably furious, maintaining that Pakistan had, in essence, illegally negotiated away Indian territory.²⁵

US Policy, 1963-80

The failure of the Harriman-Sandys mission marked the beginning of a long period of US diplomatic disengagement from the Kashmir dispute. In 1965, India and Pakistan went to war over Kashmir for the second time.²⁶ India's 1962 humiliation, its rapidly increasing military power, and political discontent in Indian Kashmir itself combined to convince Pakistani leaders that they had a brief window of opportunity to wrest the territory away from New Delhi. At the very least, an aggressive Pakistani policy could keep Kashmir on the boil by forcing India to

negotiating table once more.²⁷ In the summer of 1965, Pakistan infiltrated thousands of armed guerrillas across the ceasefire line, in a clumsy attempt to spark a rebellion among the Kashmir Valley's Muslims. New Delhi responded with its own invasion of Pakistan-controlled Kashmir, capturing several key mountain passes. On September 1, Pakistani armor crossed the ceasefire line in southern Kashmir and inflicted heavy losses on Indian forces. Faced with the loss of a vital road connecting Srinagar with India proper, New Delhi responded with a dramatic offensive across the Indo-Pakistani border in Punjab. The Indian forces outfought their Pakistani counterparts and blunted a counteroffensive aimed at the Indian city of Amritsar. By the time the UN intervened on September 22, Pakistan had suffered a clear defeat.²⁸ The prevailing US view of the 1965 war was "a pox on both their houses."²⁹ Disgusted with the latest turn of events in South Asia, the Johnson administration had imposed an arms embargo against both India and Pakistan. Not only that, but in the war's aftermath, President Johnson "directed that the United States adopt a lowered profile in the subcontinent and pursue more limited policy objectives there."³⁰ In the first manifestation of this new orientation, Washington stepped aside and allowed the Soviet Union to convene a peace conference at Tashkent in January 1966.³¹

The US retrenchment from Kashmir would continue for fifteen years. India and Pakistan fought a third war in 1971. This time, however, Kashmir was not the precipitating cause, and the disputed territory saw only limited military operations.³² In November-December 1971, New Delhi helped to liberate East Pakistan and create the new state of Bangladesh. The following July, India and Pakistan signed the Simla agreement, which transformed the Kashmir ceasefire line into the LOC and stipulated that New Delhi and Islamabad would settle their political differences peacefully, through bilateral negotiations or any other mutually acceptable means.³³ Simla essentially froze the international dimension of the Kashmir conflict; moreover, the power asymmetry between India and the rump Pakistan after 1971 was such that Islamabad was in no position to challenge the status quo. Indian Kashmir was also relatively quiet. One scholar observes that, after state elections in 1977, "Kashmir became quiet - and beautiful as ever; it seemed as though the problem had been solved. From the perspective of Delhi, it was a golden phase, both the rulers in Kashmir and the populace seemed content as if a marriage had been made."³⁴

Tranquility in Kashmir coincided with what one scholar calls "the logic of the American approach to South Asia in the mid-1970s – that is, the desire not to be bothered with a region that had consistently proved more troublesome than profitable."³⁵

The 1980s and 1990s

The 1980s witnessed two developments that are crucial to understanding US policy on the Kashmir dispute today. First came a renewed strategic partnership between the United States and Pakistan, which was intended to defeat the Soviet Union in Afghanistan, or at least to make Moscow's continuing war against its southern neighbor as painful as possible. Soon after the Soviet Union's December 1979 invasion, President Carter ordered a covert CIA operation to supply US assistance to the anti-Soviet *mujahideen* that would become the largest such operation since the Vietnam war. Pakistan became a vital conduit for that assistance. When the Reagan administration arrived on the scene in 1981, it promptly agreed to a multibillion dollar military and economic assistance package to Islamabad that suddenly vaulted Pakistan into the highest reaches of US aid recipients – in league with Egypt, Israel, and Turkey. Pakistan's reemergence as a "frontline state" in the cold war had a surprisingly limited impact on Indo-US relations. Despite New Delhi's refusal to publicly condemn its Soviet ally's bludgeoning of Afghanistan, India's private disapproval was repeatedly conveyed to all concerned parties. Furthermore, Washington and New Delhi skillfully pursued their own warming of relations in the mid-1980s, as India sought to "grow" its economy in electronics, computers, and telecommunications, areas where the Soviet Union was of limited utility. A May 1985 Memorandum of Understanding in science and technology removed India from the US list of "diversion-risk" countries, paving the way for increased investment and technology transfer.³⁶

The second crucial development was the reemergence of Muslim separatism in Indian Kashmir.³⁷ By 1989, Islamic militants in the Kashmir Valley were in open rebellion, and, in the years since, a full-blown secessionist insurrection has raged against the Indian state. Even worse, with the Afghanistan war winding down, a reinvigorated Pakistan army rechanneled its energies and newly supplied military muscle toward the so-called "freedom fighters" struggling against Indian rule in Kashmir.³⁸ The escalating war between Indian security forces on one side, and Pakistan-supported insurgents on the other, radically

transformed Indo-Pakistani relations by giving the two governments their first compelling reason to shed blood since the Bangladesh war two decades earlier. Early in 1990, the Kashmir fighting evolved from a primarily civil conflict into an international crisis that brought India and Pakistan dangerously close to major war. New Delhi and Islamabad placed their military forces on high alert and issued bellicose threats suggesting that war was imminent. Some analysts believe that, during the 1990 crisis, Pakistan readied its nuclear weapons for deployment; others discount that view. Either way, the first Bush administration was sufficiently alarmed that it dispatched deputy national security adviser Robert Gates to the region for talks with the two governments. The Gates intervention helped to calm tempers on both sides of the border.³⁹

*The Kargil War*⁴⁰

The 1990 crisis was the first in a series of renewed US interventions aimed at easing Indo-Pakistani tensions over Kashmir. In each case, Washington has strictly limited itself to crisis management rather than diplomacy geared toward conflict resolution. Within a year of India and Pakistan's 1998 nuclear tests, the two countries were embroiled in their most violent military clashes since 1971. In the late 1990s, it had seemed as if the insurgency against the Indian state was waning. Newspaper accounts in 1998 suggested that normalcy was returning to the Kashmir Valley. The tourist industry had strengthened somewhat, after collapsing in the early 1990s. Indian officials estimated that the number of committed separatists had declined from between 5,000 and 10,000 to roughly 2,500. India's army commander in the Valley, Lt. Gen. Krishan Pal, guessed that probably fewer than 1,000 of these insurgents were "active gun-toting militants."⁴¹ In a representative account, one reporter wrote in the summer of 1998 that "Srinagar is a town risen from the dead."⁴² Alas, this relative tranquility was short-lived. One important factor was the transnationalization of the Islamic insurgency. As one analyst wrote in 1999:

For five years now, the rebels with clout have been cut from the same cloth: based in Pakistan, trained in Afghanistan, and motivated by pan-Islamic fundamentalism rather than Kashmiri nationalism. Their ranks filled with Punjabis and Pashtuns, Afghans and Arabs, many of the fighters wage war on behalf of a people whose language they do not even speak.⁴³

Unbeknownst to the Indian government, by the spring of 1999, some 500–800 well-armed infiltrators had dug in along a 140-kilometer stretch of Himalayan ridges, some 5–15 kilometers on the Indian side of Kashmir's LOC. The intruders' positions overlooked National Highway 1A, which is the only decent road between Srinagar and Leh – and thus the only ground supply route to Indian military forces manning the border between Ladakh and China. The Pakistan army supported the invaders, who were armed with machine guns, howitzers, mortars, and surface-to-air missiles. At the political level, Islamabad probably wanted to refocus the international community's attention on an insurgency that had seemed to be petering out. Now that both India and Pakistan were acknowledged nuclear-weapon states, Pakistani officials could portray Kashmir as a "nuclear flashpoint" in order to induce third-party mediation and, possibly, a settlement of the dispute on terms favorable to Islamabad. At the military level, the Pakistan army may have hoped to spread the Indian armed forces out across the entire state, so as to give themselves more space to foment violence in the Kashmir Valley, where the massive Indian presence had put such a damper on militant operations that the guerrillas had been finding it increasingly difficult to mount effective assaults against Indian assets.⁴⁴ On May 9, the infiltrators destroyed the main Indian army ammunition dump outside the town of Kargil.⁴⁵ Aerial surveillance soon revealed the seriousness of Pakistan's challenge: hundreds of "heavily armed infiltrators had occupied at least 35 well-fortified positions atop the ridges facing Dras, Kargil, Batalik, and the Mushko valley. They were being provided fire cover by Pakistani artillery, which had begun a systematic bombardment of National Highway 1A."⁴⁶ India's initial response was to send some 20,000–30,000 troops to evict the intruders. Special forces personnel were dropped onto high ridges by helicopter. Army soldiers equipped with howitzers, rocket launchers, and heavy mortars launched attacks supported by helicopter gunships. "The aim was to surround the infiltrators and choke off their supplies even while building up Indian strength to launch assaults."⁴⁷ Soon thereafter, Indian air force ground-attack aircraft and helicopter gunships began to pound the intruders' positions.⁴⁸

The Indian response was not limited to Kashmir. Indian leaders also ordered their armed forces to prepare for the possibility of war all along the Indo-Pakistani border. In late May, US satellites detected these preparations. According to one account, "elements of the Indian army's

main offensive 'strike force' were loading tanks, artillery, and other heavy equipment onto flatbed rail cars." In addition, US officials say retrospectively, "armored units intended for offensive use were leaving their garrisons in Rajasthan ... and preparing to move."⁴⁹ Says another account, "the message was clear: not only was India preparing to strike hard in Kargil but if needed it could open other fronts and was willing to risk even a full-scale war."⁵⁰ By early June, the IAF was carrying out some 40 sorties daily⁵¹ in an attempt to dislodge the insurgents. By the end of the month, Indian "mechanized and artillery divisions [had] advanced to forward positions all along the border in Gujarat, Rajasthan, Punjab, and Jammu and Kashmir." The Pakistan army was making similar preparations for war near its preferred point of attack along the Punjab frontier. However, neither army "made any decisive movements" of its strike corps.⁵²

As India and Pakistan prepared for war, diplomatic maneuvering intensified between New Delhi, Islamabad, and Washington. Vajpayee and Nawaz Sharif spoke by phone several times in the early weeks of the crisis, with Vajpayee telling Sharif that India would do whatever was necessary to drive the intruders back across the LOC.⁵³ Sharif was unwilling to accept Pakistani responsibility for the insurgents' operations. In late May, Indian Foreign Minister Jaswant Singh met with US Deputy Secretary of State Strobe Talbott. During their discussion, the United States reportedly agreed to deal firmly with Pakistan; in return, India pledged not to cross the LOC or otherwise escalate the fighting.⁵⁴ President Clinton called Vajpayee and Sharif on June 14–15, urging both sides to resist widening the conflict.⁵⁵ As the Kargil casualties mounted, though, New Delhi's patience began to wear thin. On June 17–18, Vajpayee aide Brajesh Mishra informed US National Security Adviser Sandy Berger that India might be compelled to escalate its operations.⁵⁶ Deeply concerned about this prospect, Clinton dispatched the Commander-in-Chief of the US Central Command, Gen. Anthony Zinni, to Islamabad from June 23 to 27. Zinni prevailed upon Pakistani leaders to call an end to the Kargil operation;⁵⁷ in response, he received "fairly clear" assurances from his interlocutors that the insurgents would be withdrawn from the Indian side of the LOC.⁵⁸ New Delhi's resolve to eject the infiltrators from its side of the LOC, in combination with Indian military successes on the ridges of Kargil, convinced Islamabad to call off its misadventure. In turn, Washington pushed Nawaz Sharif toward capitulation. Sharif flew

to Washington to meet with Clinton on July 4. In a joint statement, the two heads of government expressed the "view that that current fighting in the Kargil region of Kashmir is dangerous and contains the seeds of a wider conflict." In return for Pakistan's pledge that "concrete steps will be taken for the restoration of the Line of Control in accordance with the Simla Agreement," Clinton promised to take a "personal interest in encouraging an expeditious resumption and intensification" of Indo-Pakistani detente, "once the sanctity of the Line of Control has been fully restored."⁵⁹ With this putatively face-saving agreement in hand, Sharif's government urged the insurgents to "help resolve" the crisis, in order to "provide an opportunity for the international community to play an active role" in solving the Kashmir dispute.⁶⁰ In the meantime, Vajpayee announced that "the enemy's intrusion and aggression in Kargil has now been decisively turned back."⁶¹ On July 11, the Indian and Pakistani directors general of military operations agreed to end the fighting. A pullout timetable was reached and the insurgents' withdrawal began.⁶² Although scattered fighting continued, Indian Defense Minister George Fernandes announced on July 17 that "the war in Kargil has come to an end. The last of the Pakistani intruders have vacated our territory."⁶³ Some 1,100–1,200 fighters died in the 1999 Kargil war.⁶⁴

Clinton's Legacy

While New Delhi and Washington moved inexorably closer during President Clinton's final year in office, US and Pakistani interests comprehensively diverged. This was vividly illustrated during the President's long-anticipated trip to South Asia in March 2000. After five days of substantive bonhomie in India, Clinton spent roughly five hours in Pakistan, where he and the Pakistani leader, General Pervez Musharraf, enunciated starkly opposed views. On Kashmir, Clinton's policy recognized the bedrock reality of the Indian position: the two disputants themselves should resolve the conflict, as per the Simla agreement of 1972. Significantly, the President made no mention of Kashmir in his well-received address to the Indian Parliament, while days later on Pakistani television he exhorted Islamabad to eschew a military solution to the dispute. Clinton left no doubt in Pakistanis' minds about his policy: "We cannot and will not mediate or resolve the dispute in Kashmir. Only you and India can do that through dialogue."⁶⁵ This meant in practice that the US State Department would offer its

"good offices" to help facilitate a settlement, but it would not propose solutions to, or invest political capital in, the dispute.⁶⁶ Pushing India any harder than this could derail the promising US–Indian engagement process and would likely result in failure anyway.

The George W. Bush Policy

Much to Islamabad's dismay, the new Bush administration's South Asia policy hardly deviated from President Clinton's. Indeed, if anything, Bush's new national security team was intent on intensifying the regional policy it inherited. India's fast-growing economy, its booming information-technology sector, and its position as a relatively stable, democratic, nuclear power in a volatile region argued for deepening Indo-US ties.⁶⁷ Not only that, but some senior officials perceived that New Delhi could provide a useful counterweight to Beijing's growing influence in Asia,⁶⁸ a perspective that was strengthened by the April 2001 Hainan spy plane incident – the President's first foreign policy test.⁶⁹ By way of contrast, Pakistan seemed to offer nothing but trouble. Translated into policy, these perspectives dictated maintaining the Clinton line on Kashmir, i.e., urging the disputants to engage in bilateral negotiations, while not pushing so hard as to alienate India.⁷⁰ Washington did not, however, throw up its collective hands regarding Pakistan. Senior officials were "determined to improve the US–Pakistani relationship,"⁷¹ without turning a blind eye to areas of disagreement. So, for example, the administration had already resolved – before 9/11 – to lift the remaining 1998 nuclear sanctions.⁷²

9/11, 12/13, and the 2001–02 Indo-Pakistani Crisis

After another period of relative peace, large-scale carnage returned to Kashmir on October 1, 2001. Terrorists from the Pakistan-based Jaish-e-Muhammad ("Muhammad's Troops") attacked the Jammu and Kashmir legislative assembly building in Srinagar, killing 38 people.⁷³ Cross-border artillery duels, in abeyance for nearly a year, resumed. Secretary of State Colin Powell and Secretary of Defense Donald Rumsfeld hastened to the region in October and November, respectively, in attempts to soothe regional nerves. On December 13, Jaish-e-Muhammad and Lashkar-e-Taiba – "Army of the Pure," another Pakistan-based terrorist group – attacked the Indian Parliament in New Delhi, leaving 14 dead.⁷⁴ The audacious strike at the heart of India's government, far from Kashmir's peaks and valleys, dealt a blow to

Indian society not unlike that of 9/11 in the United States. New Delhi responded with outrage, deploying the Indian army to border positions; putting its combined military forces – including those in Kashmir – on high alert; severing road, rail, and air links with Pakistan; and recalling its High Commissioner from Islamabad. In doing so, the Indian government served notice that unless Pakistan reined in its murderous *jihadi* groups, India might resort to destroying terrorist training camps and sanctuaries in Pakistani Kashmir.⁷⁵ Ultimately, India moved roughly half a million soldiers – including three armored strike corps – to the parts of Punjab, Rajasthan, and Gujarat bordering Pakistan.⁷⁶ Islamabad responded by mobilizing its own armor and 300,000 Pakistan army troops to the adjacent border areas of Punjab and Sindh.⁷⁷

India's compellent strategy was partly aimed at inducing Washington to urge Islamabad to stop supporting *jihad* in Kashmir and India proper. India's arguments were bolstered by President Bush's post-9/11 doctrine of targeting terrorists *and* the states that support them. For its part, Pakistan hoped that the latest crisis would cause the United States to take a more active role in resolving the Kashmir conflict. Islamabad argued that the necessity of mobilizing troops along the border with India would require Pakistan to deploy fewer soldiers in the hunt for al-Qaeda and Taliban forces in western Pakistan. New Delhi's diplomatic strategy was more successful; while Washington urged both sides to back off, it pointedly put Jaish-e-Muhammad and Lashkar-e-Taiba on the State Department's list of foreign terrorist organizations. In response to Indian and US pressure, General Musharraf made an impassioned speech to the Pakistani people on January 12, 2002, in which he unambiguously condemned the October and December terrorist attacks in India. "The day of reckoning has come," Musharraf said. "Do we want Pakistan to become a theocratic state? Do we believe that religious education alone is enough for governance, or do we want Pakistan to emerge as a progressive and dynamic Islamic welfare state?" Claiming that "the verdict of the masses is in favor" of the latter course, Musharraf pledged that "no organization will be allowed to indulge in terrorism in the name of Kashmir," and that "Pakistan will not allow its territory to be used for any terrorist activity anywhere in the world."⁷⁸

Alas, Musharraf has proved unwilling to clamp down completely on Pakistan's *jihadi* groups. In the aftermath of his January 2002 speech, Islamabad arrested some 2,000 militants and closed more than 300 of their offices, but few militants have been prosecuted. Moreover, the

leaders of Lashkar-e-Taiba and Jaish-e-Muhammad were released in March and promptly vowed to reinvigorate the Kashmir insurgency.⁷⁹ On May 14, terrorists attacked the Indian military base at Kaluchak in Jammu, killing 34 people and setting off a full-blown crisis. As one Western reporter described the situation in late May,

preparations for cataclysm advance daily along the Indo-Pakistani frontier. About 1 million soldiers have crowded to the long border, equipped with missiles, tanks, and fighter jets. ... War-fevered politicians in both capitals organize appeals for national unity. ... And in the secret military warehouses of both countries, engineers presumably are turning screws on doomsday's reserve force – two crude but functional nuclear arsenals.

Indeed, while Vajpayee warned the Indian army to "prepare for a 'decisive battle,'" Musharraf strongly implied that "if India insists on launching all-out war to attack Pakistan's support for Kashmiri militants, Pakistan is prepared to go nuclear."⁸⁰

Once again, Washington embarked on a frenzy of high-level diplomatic activity to prevent war in South Asia. In early June, Deputy Secretary of State Richard Armitage traveled to Islamabad, where he reportedly elicited a promise from Musharraf to "end cross-border infiltration permanently."⁸¹ Two weeks later, though, Musharraf seemed to backtrack when he told a reporter, "I'm not going to give you an assurance that for years nothing will happen."⁸² That having been said, infiltrations across the LOC did decrease during the summer before rising again in the autumn, "but not to the level that they had been at previously, prior to the commitments made by the Pakistani government."⁸³ All in all, India's army chief estimated that militant crossings declined by about half from 2001 to 2002.⁸⁴ Although the immediate crisis faded in June, the Indo-Pakistani troop buildup lasted until October, when India announced that it would withdraw its forces from the border with Pakistan. The Indian decision came on the heels of state elections in Kashmir, after which "there was no reason to continue a deployment that has placed enormous strains on personnel, equipment, and morale."⁸⁵ Pakistan immediately reciprocated the troop withdrawal, but Indian officials were at pains to point out that they would not reduce their military presence in Kashmir. Despite the fact that India and Pakistan nearly fought a major war⁸⁶ in the summer of

2002, the conflict grinds on. Islamabad beseeches New Delhi to negotiate over Kashmir and tries to convince a decreasingly sympathetic international community to support its cause. Meanwhile, a senior Indian official says there is "no question of a dialogue with Pakistan as long as Pakistani terrorism continues."⁸⁷

The Prospects for Conflict Resolution and US Policy Options

If the United States hopes to spur an enduring resolution to the India-Pakistan conflict over Kashmir, it must abandon its exclusively crisis-management orientation. Two broad avenues conceivably lead toward conflict resolution. In the first, the United States decides to engage the diplomatic impasse with all its resources, devises a tentative blueprint for resolution, and begins to work doggedly with India and Pakistan to realize the aim of a just and lasting peace. In the second, the United States continues to use its "good offices" and minimal diplomatic pressure to nudge the two sides into bilateral discussions whose destination is uncertain. Washington has chosen the latter approach for decades, and it has manifestly failed. The current impasse may be unsustainable over the long term. Neither New Delhi nor Islamabad can unilaterally impose a military solution in its favor. Even with intensive cross-LOC conventional military operations, India will never be able to stem the flow of enough arms and terrorists into its part of Kashmir to prevent a weaker, but resolute, Pakistan from bleeding India indefinitely. And, in attempting such an aggressive solution, New Delhi would run the risk of Pakistani escalation to nuclear weapons, either purposeful or inadvertent. For its part, Pakistan is no better placed to achieve a military solution to the conflict than it has been for the last half-century, short of triggering a nuclear war that would lay waste to much of the subcontinent and render the Kashmir dispute moot.

If a military resolution of the conflict is out of the question, the prevailing status quo – chronically low-grade but occasionally explosive hostility – is less and less palatable. Nuclear weapon states have a special responsibility to the international community to act circumspectly when it comes to matters of war and peace. How many times can India and Pakistan walk the 1990, 1999, and 2001/02 tightropes without falling into the abyss?

If politics is the art of the possible, why has conflict resolution proved so elusive in Kashmir? A "mini-max" analysis – identifying each side's least- and most-preferred outcomes – demonstrates the

fundamental nature of the quandary. In mini-max terms, each side's minimum aim is to retain what it has today, and each side's maximum goal is to become sovereign over all of the former princely state of Jammu and Kashmir. As I wrote in 1998, neither side has been willing to countenance the other side achieving its maximum aim:

partly for strategic reasons, but also because to do so would be to deny the legitimating ideology on which each state was founded. Pakistan's two-nation theory held that the subcontinent's Muslims could safeguard their political rights only through the formation of a separate country. For Pakistanis, the idea of a Muslim-majority state falling within Indian borders is anathema, as it repudiates the two-nation theory and thus the entire basis for the creation of Pakistan. Indian leaders' secular ideology rests on the successful incorporation of all minorities, including Muslims, into the Indian political order. A Pakistani Kashmir would be an insult to Indian secularism. If Muslims' rights cannot be protected in Kashmir, they are subject to doubt throughout India. Kashmir is a zero-sum test for each state's legitimating ideology: one's validity invalidates the other.⁸⁸

In sum, neither side can give up the part of Kashmir it controls today, yet neither side can acquire all of Kashmir.

Is there, between these two ends of the continuum, a "midi" position, a mid-range outcome that would fall short of each side's maximum, but not force it to forsake its minimum? The most logical mid-range outcome is a formalized status quo, minus the chronic tension that creates instability in Indo-Pakistani relations and sucks up an enormous amount of resources on both sides.⁸⁹ How feasible would it be, then, to make the LOC a permanent, internationally recognized border between India and Pakistan?

From the Indian perspective, turning the LOC into a formal international boundary would solve the Kashmir problem – at least in its international dimension. New Delhi would retain Hindu Jammu, the Muslim Valley, and Buddhist Ladakh, thereby reinforcing India's preferred identity as a secular country composed of many diverse, but relatively harmonious, nations. In comparison, the parts of Kashmir administered by Pakistan – referred to by Islamabad as the "Northern Areas" of Gilgit and Baltistan, and Azad Kashmir in the western part

of the state – are much less integral to India's self-identity. From Pakistan's perspective, the best mid-term solution would be to hold the statewide plebiscite called for by the UN Security Council resolutions that ultimately ended the first Indo-Pakistani war. But this process would conceivably yield an outcome that endangers India's minimum objective of retaining at least the part of Kashmir that it controls today. Viewed in mini-max terms, a Kashmiri plebiscite is a dead letter, as the international community increasingly recognizes; recall in this context President Clinton's 1999 reference to the "sanctity" of the LOC.

Non-experts have a hard time understanding why India and Pakistan cannot simply agree to partition Kashmir permanently, along lines close to if not identical with today's LOC. After all, by the terms of the 1972 Simla agreement, the two countries are resolved to settle their differences through bilateral negotiations or by any other peaceful means mutually agreed upon between them. Why not use this diplomatic mechanism to formalize what is already, to all intents and purposes, an informal border between the two countries?

The answer goes deeper than Pakistan's legalistic response that the relevant UN resolutions call for a plebiscite. More fundamentally, Islamabad resists transforming the LOC into an international border because conflict resolution would rob important political interests of their thin claims to legitimacy within the Pakistani polity. Even under civilian rule, liberal democracy in Pakistan is skin-deep. Political power remains, by and large, in the hands of traditional, largely conservative interests: the Pakistan army, neofeudal landowners, big business houses, and Islamists of various sociopolitical hues. These elite constituencies have a vested interest in the domestic status quo, because a wider distribution of political and economic power would threaten their privileged positions in Pakistani society. Chronic conflict in Kashmir provides these interests with the only non-coercive way to preserve their power. It allows them to portray India's control of predominantly Muslim Kashmir as an insult to both Pakistan and Islam. They shout to their downtrodden countrymen: "Pakistan's *raison d'être* is Islam; if Kashmiri Muslims can live contentedly in secular India, what is the *purpose* of Pakistan?" The best – perhaps only – way for conservative Pakistani interests to maintain their grip on power is to stoke the flames of discontent in Indian Kashmir, a tactic that, it must be admitted, has too often been abetted by New Delhi's

own malfeasance in the state. As long as Kashmir is rent by turmoil, Pakistan's power brokers can depict themselves as defenders of the nation and the faith. Without this distraction, the political attention of Pakistan's miserable masses might instead shift dramatically to the country's deep economic inequalities, its profoundly venal politics, and the rampant corruption infecting every aspect of Pakistani society. In short, actually resolving the Kashmir dispute would threaten the dominance of the entrenched powers-that-be in Pakistan. For this reason, Islamabad resists transforming the LOC into an international boundary.

Is there a way forward? Yes, but only if both sides make concessions in the service of a mutually acceptable, mid-term objective. Turning the LOC into an extension of the international border between India and Pakistan would appear to be the only such solution. The main sticking point, of course, is conservative Pakistani leaders' reluctance to accept a compromise that might jeopardize their favored status domestically. Overcoming this entrenched resistance to change will be extremely difficult, perhaps even impossible. Over the last five decades, Pakistan has failed to develop through the evolution of "natural" processes like economic dynamism and the maturation of political institutions; instead, the country has become the state equivalent of a bionic person, held together by "artificial" parts like temporarily expedient external alliances and occasional infusions of foreign aid.

On the bright side, President Musharraf's January 2002 speech⁹⁰ indicates that he understands the extent of the rot infesting Pakistani society. Only through a reformation of the country's educational system will Pakistan be able to develop in such a way as to give its exploding population any real hope for the future. The reactionary *madrassa* (religious school) culture teaches Islam and little else, which is a recipe for social failure, despair, and – ultimately – militancy.⁹¹ Of course, democracy raises its own dilemmas for both Pakistan and its friends. As the 2002 elections demonstrated, democracy can shift power to more Islamist elements which may be cooler toward Washington. But the experiences of Bangladesh, Malaysia, and Turkey show that "Islamic" and "radical" are not synonyms. One reason many Pakistani Muslims have become so radicalized is that they have been excluded from a legitimate role in their country's governance. It will be better if Pakistan's Islamists pursue their political goals via ballots rather than bullets. Pakistani democracy need not be of the freewheeling American

variety, but Pakistani citizens must eventually have an institutionalized voice in how their country is run.

Unfortunately, the world does not have the luxury of waiting for Pakistan to democratize fully. The next India-Pakistan crisis could erupt any time. The remainder of this article is a blueprint for conflict resolution in Kashmir, broken down into procedural, substantive, and long-term guidelines for US, Indian, and Pakistani officials. It is hardly set in stone; nor should it be presented to New Delhi and Islamabad that way. This blueprint provides a potential basis – perhaps the *only* potential basis – for constructive peace talks.

Process

- Washington needs to be steady in its engagement with New Delhi and Islamabad. US leaders should indicate repeatedly that this is a long-term commitment, not a one-shot deal. Indians and Pakistanis have ample historical justification for doubting US stamina.
- Washington should be low-key with its blueprint and urge New Delhi and Islamabad to do the same. Domestic political winds could easily blow away the initiative. Negotiators must be given the political space to exercise leadership.

Substance

- As a first step, India and Pakistan should reaffirm the Simla agreement:⁹² the two sides resolve to settle the Kashmir dispute peacefully and bilaterally.
- Next, Pakistan should pledge to make a permanent, good-faith effort to end the flow of *jihadi* militants into both Indian Kashmir and India proper. Islamabad will be unable to stop all such infiltrations, but Washington and New Delhi will be able to distinguish between inability and unwillingness. The United States can provide monitoring and surveillance technologies to verify Pakistan's compliance.⁹³
- Then, in response to a significantly diminished flow of militants across the LOC, India should begin to thin out its military presence in Kashmir. This will be a good-faith demonstration that New Delhi is serious about resolving the conflict. Forces sufficient to ensure law and order may remain in the state. Next, Islamabad should reduce its military forces in Pakistan-controlled Kashmir. Washington can help to verify compliance.

- Once these actions have been taken, and the situation on the ground has stabilized, India and Pakistan should sign a treaty making the LOC a permanent international boundary.
- Last, India and Pakistan should negotiate the further demilitarization of the areas of Kashmir over which they are now sovereign. Washington can help to verify arms control agreements and confidence-building measures.

Long-Term

- Indian, Pakistani, US, EU, and Japanese experts should devise a comprehensive socioeconomic development package for both Indian and Pakistani Kashmir. The war has impoverished many Kashmiris, and former militants will need educational and other opportunities to return to normal life.
- US, EU, and Japanese experts should confer with their Indian and Pakistani counterparts on the negotiation of a South Asia Free Trade Area (SAFTA). The external powers have considerable expertise derived from years of experience with trade liberalization in Europe, the Asia-Pacific, and North America.
- US, EU, and Japanese experts should confer with Pakistani leaders – drawn from all walks of life – on how best to restore democracy to Pakistan.

Final Thoughts

Some analysts view this blueprint as unworkable. Resolving the Kashmir conflict, they say, is a matter for India and Pakistan alone; the United States cannot impose a settlement on Indians and Pakistanis. Furthermore, important political constituencies in both India and Pakistan – but especially Pakistan – would work tenaciously to inhibit reconciliation along the lines sketched out above. From this perspective, what is the point of investing scarce political capital in an enterprise that is almost certainly doomed to failure? All such a course of action would do is taint our relations with both sides at a time when they have been on the upswing.

Although I am sympathetic to elements of this argument, my view is that – on balance – it would be better for Washington to pursue proactive conflict resolution in Kashmir than to stand idly by until yet another Indo-Pakistani crisis erupts. In a context where the failure of crisis management could lead to terrible devastation, it seems

nonsensical to rely time and again on this short-term tactic. As recently as April, India's Foreign Minister said in parliament that Pakistan's nuclear status and support for terrorism make it a "fitter case" for preemptive war than Iraq.⁴ To be sure, the United States cannot "impose" a Kashmir solution, any more than it can "impose" a settlement on the Israelis and Palestinians. But that is not what this article suggests; rather, it suggests that, as in the Middle East, Washington should at least provide thoughtful ideas about how to solve political conflicts, prevent crises from erupting, and lessen the risk of catastrophic wars. After all, what is the point of having newly valuable political capital with both India and Pakistan if it cannot be spent on an exceedingly worthy – albeit unlikely – outcome? Unfortunately, while the Department of State seems to understand that "creative diplomacy will be essential to help move these two nations away from confrontation and towards dialogue and resolution,"⁵ such diplomacy has not, to my knowledge, been forthcoming. Simply urging New Delhi and Islamabad to resume an official dialogue hardly represents creative diplomacy; such exhortations, repeated like a mantra, will certainly look foolish if worse comes to worst in South Asia.

NOTES

The February 28–March 1, 2002, conference on Kashmir at the University of Texas was an enriching and educational experience. For their wisdom and sociability, the author would like to express his heartfelt thanks to the conference organizers, participants, and observers, particularly Sumit Ganguly, Jonah Blank, Hussein Haqqani, Bob Hardgrave, Tim Hoyt, Praveen Swami, and Harrison Wagner.

1. For two accounts of the early years, one long and one short, see: Robert J. McMahon, *The Cold War on the Periphery: The United States, India, and Pakistan* (New York: Columbia University Press, 1994), and W. Norman Brown, "The Quarrel over Kashmir," in his *The United States and India and Pakistan* (Cambridge, MA: Harvard University Press, 1955), pp. 159–73.
2. Even the Israeli–Palestinian struggle has witnessed phases of progress and hopefulness, albeit in fits and starts. No such positive movement has ever characterized the Kashmir situation. At best, there have been periods when the conflict was dormant, such as during much of the 1970s and 1980s. I consider the China/Taiwan situation to be a civil, rather than international, political conflict, because both disputants claim sovereignty over all of China. In this article, I focus exclusively on the international dimension of the Kashmir dispute.
3. For a list of attempts to resolve the imbroglio, see Robert G. Wirsing, *India, Pakistan, and the Kashmir Dispute: On Regional Conflict and Its Resolution* (New York: St. Martin's Press, 1998), pp. 264–70. Extensive documentation related to Kashmir also appears in Sumit Ganguly, *Conflict Unending: India–Pakistan Tensions since 1947* (New York: Columbia University Press and Washington, DC: Woodrow Wilson Center Press, 2001), pp. 148–71.
4. For the details, see two abundantly documented books by Dennis Kux: *India and the United States: Estranged Democracies, 1941–1991* (Washington, DC: National Defense University Press, 1992), and *The United States and Pakistan, 1947–2000: Disenchanted Allies* (Washington, DC: Woodrow Wilson Center Press and Baltimore: Johns Hopkins University Press, 2001).
5. Richard N. Haass, Director, Policy Planning Staff, US Department of State, "The United States and India: A Transformed Relationship," Remarks to the Confederation of Indian Industry, Hyderabad, India, January 7, 2003. Available at usinfo.state.gov.
6. See, for example, Navnita Chadha Behera, "Kashmir: Redefining the US Role," *Policy Brief*, No. 110, Brookings Institution, Washington, DC, November 2002, p. 2; James C. Clad, "An Unexpected Chance to Get Down to Fundamentals," in *A New Equation: US Policy toward India and Pakistan after September 11*, Working Paper No. 27, Carnegie Endowment for International Peace Global Policy Program, Washington, DC, May 2002, p. 21; Stephen P. Cohen, "South Asia," in Richard J. Ellings and Aaron L. Friedberg, eds., *Strategic Asia, 2002–03: Asian Aftershocks* (Seattle: National Bureau of Asian Research, 2002), p. 301; Lee Feinstein, "When Policy Priorities Converge: US Relations with India and Pakistan," in *A New Equation*, p. 11; Ganguly, *Conflict Unending*, p. 142; Mandavi Mehta and Teresita C. Schaffer, "India and Pakistan: Can Crisis Become Opportunity?" *South Asia Monitor*, No. 42, Center for Strategic and International Studies South Asia Program, Washington, DC, February 1, 2002; C. Raja Mohan, "A Paradigm Shift toward South Asia?" *Washington Quarterly* Vol. 26, No. 1 (Winter 2002/03), pp. 141–55; and Teresita C. Schaffer, "US Influence on Pakistan: Can Partners Have Divergent Priorities?" *Washington Quarterly* Vol. 26, No. 1 (Winter 2002/03), p. 182.
7. Cohen, "South Asia," p. 301.
8. Pessimistic views concerning the prospects for conflict resolution in Kashmir include: Mohammed Ayoob, "South Asia's Dangers and US Policy," *Orbis* Vol. 45, No. 1 (Winter 2001), pp. 123–34; Satu P. Limaye, "Mediating Kashmir: A Bridge Too Far," *Washington Quarterly* Vol. 26, No. 1 (Winter 2002/03), pp. 157–67; and Robert Wirsing, "Kashmir in the Terrorist Shadow," *Asian Affairs* (London) Vol. 33, No. 1 (February 2002), pp. 91–97.
9. Wirsing, "Kashmir in the Terrorist Shadow," p. 97.
10. Limaye, "Mediating Kashmir," p. 158.
11. Ayoob, "South Asia's Dangers and US Foreign Policy," p. 2 of Internet version.
12. Christina B. Rocca, Assistant Secretary of State for South Asian Affairs, "Deepening US Engagement in South Asia," Remarks to the American Enterprise Institute, Washington, DC, October 10, 2002.
13. Richard Haass, Director of Policy Planning, US Department of State, Interview with Pakistan Television, Islamabad, October 31, 2002.
14. The term is William C. Wohlforth's: "The Stability of a Unipolar World," *International Security* Vol. 24, No. 1 (Summer 1999), p. 40.
15. The LOC is the dividing line between the Indian- and Pakistani-administered parts of Kashmir.
16. This section revises part of my chapter, "Kashmir and the Nuclear Question Revisited," in Craig Baxter and Charles H. Kennedy, eds., *Pakistan: 2000* (Lexington, MA: Lexington Books, 2000), pp. 96–97.
17. It might be argued that a fourth type of policy – "crisis management" – should be added to this typology. However, if crises erupt routinely, the two states are already and inherently in a situation of strategic instability. Crisis management is properly understood as a last-ditch tactical, rather than strategic, goal.
18. In this article, I focus exclusively on conflict resolution. For an analysis of the prospects for nuclear arms control in South Asia, see my "The South Asian Nuclear Tests: Implications for Arms Control," in Carl Ungerer and Marianne Hanson, eds., *The Politics of Nuclear Non-proliferation* (Sydney: Allen and Unwin, 2001), pp. 97–117. On Indo-Pakistani confidence-building measures see Sumit Ganguly and Ted Greenwood, eds., *Mending Fences: Confidence- and Security-Building in South Asia* (Boulder, CO: Westview Press, 1996).
19. The first two paragraphs of this section are an abridged version of my longer account of

- the Kashmir dispute's genesis. See *The Consequences of Nuclear Proliferation: Lessons from South Asia* (Cambridge, MA: MIT Press, 1998), pp. 63–68. For a considerably more extensive historical treatment, see Victoria Schofield, *Kashmir in Conflict: India, Pakistan, and the Unending War* (London: I. B. Tauris, 2003), especially chapters 1–3.
20. See McMahon, *Cold War on the Periphery*, pp. 25–31 and Brown, "Quarrel over Kashmir," pp. 167–68.
 21. McMahon, *Cold War on the Periphery*, pp. 19–20, 22, 23, 24.
 22. Kux, *India and the United States*, pp. 61–63, 67.
 23. McMahon, *Cold War on the Periphery*, pp. 172, 34, 219–20.
 24. Kux, *India and the United States*, pp. 209–10.
 25. Devin T. Hagerty, "China and Pakistan: Strains in the Relationship," *Current History* Vol. 101, No. 656 (September 2002), p. 286.
 26. For a comprehensive analysis, see Ganguly, *Conflict Unending*, pp. 31–50.
 27. Stanley Wolpert, *Zulfi Bhutto of Pakistan: His Life and Times* (New York: Oxford University Press, 1993), pp. 89–90.
 28. Hagerty, *Consequences of Nuclear Proliferation*, pp. 69–70.
 29. Sumit Ganguly, "U.S.–Indian Relations During the Lyndon Johnson Era," in Harold A. Gould and Sumit Ganguly, eds., *The Hope and the Reality: U.S.–Indian Relations from Roosevelt to Reagan* (Boulder, CO: Westview Press, 1992), p. 82.
 30. McMahon, *Cold War on the Periphery*, p. 334.
 31. The Tashkent Declaration of January 10, 1966 appears in Ganguly, *Conflict Unending*, pp. 162–63.
 32. J. N. Dixit, *India–Pakistan in War and Peace* (London: Routledge, 2002), pp. 211–12.
 33. For the agreement's text, see Ganguly, *Conflict Unending*, pp. 168–69.
 34. Ashutosh Varshney, "India, Pakistan, and Kashmir: Antinomies of Nationalism," *Asian Survey* Vol. 31, No. 11 (November 1991), p. 1014.
 35. Thomas P. Thornton, "U.S.–Indian Relations in the Nixon and Ford Years," in Gould and Ganguly, *The Hope and the Reality*, p. 104.
 36. Hagerty, *Consequences of Nuclear Proliferation*, pp. 75–77.
 37. Space constraints preclude an extensive discussion of the internal roots of Kashmiri discontent. For the best comprehensive analysis, see Sumit Ganguly, *The Crisis in Kashmir: Portents of War, Hopes of Peace* (Washington, DC: Woodrow Wilson Center Press and Cambridge: Cambridge University Press, 1997).
 38. Schofield, *Kashmir in Conflict*, pp. 176–79.
 39. Devin T. Hagerty, "Nuclear Deterrence in South Asia: The 1990 Indo-Pakistani Crisis," *International Security* Vol. 20, No. 3 (Winter 1995/96), pp. 79–114.
 40. This account of the Kargil conflict draws in part on my "Kashmir and the Nuclear Question Revisited," pp. 90–94.
 41. John F. Burns, "In Brinkmanship's Wake, All Quiet on the Kashmir Front," *International Herald Tribune*, June 16, 1998.
 42. Molly Moore, "Kashmiri Militants Join the Mainstream," *Washington Post*, July 3, 1998.
 43. Jonah Blank, "Kashmir: Fundamentalism Takes Root," *Foreign Affairs* Vol. 78, No. 6 (November–December 1999), p. 42.
 44. For a detailed piece regarding Pakistani political motives, see Jason Burke, "In the Land of the Enemy," *India Today International*, July 12, 1999, pp. 12–18; on the insurgents' military aims, see Pamela Constable, "For Refugees, 'Martyrdom' in Kashmir Is an Honor," *Washington Post*, July 12, 1999.
 45. John Lancaster, "US Defused Kashmir Crisis on Brink of War," *Washington Post*, July 26, 1999.
 46. Ramesh Vinayak, "Nasty Surprise," *India Today International*, May 31, 1999, p. 20.
 47. Vinayak, "Nasty Surprise," p. 21; Harinder Baweja and Ramesh Vinayak, "Peak by Peak," *India Today International*, June 14, 1999, pp. 17–21.
 48. Michael Fathers, "On the Brink," *Time*, June 7, 1999, pp. 48–49.
 49. Lancaster, "US Defused Kashmir Crisis."
 50. Raj Chengappa, "Face-Saving Retreat," *India Today International*, July 19, 1999, p. 16.
 51. Harinder Baweja and Ramesh Vinayak, "Peak by Peak," p. 18.

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55. The source for the various telephone conversations is Raj Chengappa, "On High Ground," *India Today International*, June 28, 1999, p. 25.
56. Chengappa, "Face-Saving Retreat," p. 17.
57. Chengappa, "Will the War Spread?" p. 14.
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60. "Pakistan Says India Trying to Cross Kashmir Cease-Fire Line," *CNN Interactive*, July 9, 1999; Barry Bearak, "Kashmir Town Buries Dead, and Fights On," *New York Times*, July 10, 1999.
61. "India Claims Control of Key Kashmir Sector," *CNN Interactive*, July 10, 1999.
62. "India, Pakistan Agree to End Kashmir Fighting," *CNN Interactive*, July 11, 1999.
63. "India Says All Kashmir Infiltrators Have Retreated," *Reuters*, July 17, 1999.
64. Christopher Kremmer, "Outsiders Stoke the Flames of War," *Sydney Morning Herald*, June 26, 1999; "Pakistan Urges Fresh Peace Talks with India," *Reuters*, July 12, 1999.
65. Wirsing, "Kashmir in the Terrorist Shadow," p. 97.
66. China has adopted a similar diplomatic posture on the Kashmir dispute, especially since the Kargil crisis of 1999. See Hagerty, "China and Pakistan," pp. 287–88.
67. See Edward Luce and Stephen Fidler, "A Fine Line," *Financial Times*, June 1, 2001, and Clad, "An Unexpected Chance to Get Down to Fundamentals," p. 16.
68. For an analysis of the early Bush administration's perspective on India, see Dennis Kux, "India's Fine Balance," *Foreign Affairs* Vol. 81, No. 3 (May–June 2002), pp. 94–95.
69. On April 1, 2001, a Chinese F-8 fighter jet collided with a US EP-3 reconnaissance plane over the South China Sea. The US aircraft made an emergency landing on China's Hainan Island, igniting an 11-day diplomatic row between Washington and Beijing.
70. General Musharraf, who had declared himself Pakistan's president in June 2001, met with Prime Minister Vajpayee at Agra in July. The talks ended in deadlock, as symbolized by the two adversaries' failure even to issue a perfunctory joint communique. For details, see Radha Kumar, "Untying the Kashmir Knot," *World Policy Journal* Vol. 19, No. 1 (Spring 2002), pp. 11–24.
71. Haass interview with Pakistan Television.
72. Lewis A. Dunn, "Balancing Nuclear Security and Nonproliferation in South Asia," in *A New Equation*, p. 23.
73. K. Alan Kronstadt, "Pakistan–US Relations," *Issue Brief*, Congressional Research Service, Washington, DC, October 28, 2002, p. 9.
74. For background on these groups, see Kumar, "Untying the Kashmir Knot" and Jessica Stern, "Pakistan's Jihad Culture," *Foreign Affairs* Vol. 79, No. 6 (November–December 2000), pp. 115–26.
75. Kux, "India's Fine Balance," pp. 98–100.
76. John Lancaster, "Pakistan to Follow India in Removing Troops from Border," *Washington Post*, October 18, 2002.
77. John Lancaster, "India to Remove Some Forces from Border with Pakistan," *Washington Post*, October 17, 2002.
78. President Pervez Musharraf's Address to the Nation, January 12, 2002, available at www.pak.gov.pk/President_Addresses/President_address.htm.
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82. "Musharraf: Here's What I'll Do," *Washington Post*, June 23, 2002.
83. Spokesman Richard Boucher, State Department Daily Briefing, October 31, 2002.

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87. Lancaster, "India to Remove Some Forces from Border with Pakistan."
88. Hagerty, *Consequences of Nuclear Proliferation*, p. 67.
89. An independent Kashmir is out of the question, because it would fail to meet either side's minimum requirement.
90. See President Pervez Musharraf's Address to the Nation, January 12, 2002, available at www.pak.gov.pk/President_Addresses/President_address.htm.
91. See Stern, "Pakistan's Jihad Culture." Samina Ahmed writes that "in the absence of public schooling, nearly a million Pakistanis are being educated in *madrasas*, where they are indoctrinated and trained by religious extremists." "The United States and Terrorism in Southwest Asia: September 11 and Beyond," *International Security* Vol. 26, No. 3 (Winter 2001/02), p. 91.
92. For the agreement's text, see Ganguly, *Conflict Unending*, pp. 168-69.
93. K. Alan Kronstadt, "India-U.S. Relations," *Issue Brief*, Congressional Research Service, Washington, DC, December 19, 2002, p. 8.
94. John Lancaster, "Mulling Action, India Equates Iraq, Pakistan," *Washington Post*, April 11, 2003.
95. Christina Rocca, Assistant Secretary of State for South Asian Affairs, Testimony before the Subcommittee on Asia and the Pacific, House International Relations Committee, Washington, DC, March 20, 2003.

Politics, Proximity and Paranoia: The Evolution of Kashmir as a Nuclear Flashpoint

TIMOTHY D. HOYT

NEW DELHI, March 21 (PTI) - President K. R. Narayanan today told US President Bill Clinton that India would defend itself against aggression and indiscriminate and well organised terrorism from across the borders and rejected as 'alarmist descriptions' American views that Kashmir is a 'nuclear flashpoint.'

The concept that the disputed province of Kashmir is somehow fundamentally connected with nuclear danger is pervasive in policy circles. A search of the internet for the phrase "'Kashmir' and 'nuclear flashpoint'" brought up 998 separate references.² To many, this phrase is viewed as discriminatory or pejorative - an indication that the United States does not believe India and/or neighboring Pakistan are capable of managing nuclear weapons. Raja Mohan, a respected columnist and strategic analyst, notes that

Indian analysts of foreign affairs used to bristle every time a visiting American scholar or policy-maker mentioned the phrase that Kashmir is a 'nuclear flashpoint.'

Not any more; since the Kargil crisis in 1999, the American concerns on the dangers of a 'nuclear flashpoint' in the subcontinent have worked against Pakistan and in India's favour.³

This article will examine the relationship between Kashmir, nuclear weapons, and regional security. The analysis will be carried out in three sections. The first section will focus on the definition of a geopolitical flashpoint, assessing how Kashmir might fit that definition. The second section will briefly examine the development of nuclear capability in both India and Pakistan, as well as the interests of other nuclear-capable powers in the South Asian region. The third section will examine the evolution of Kashmir as a nuclear

flashpoint, trends in the Indo-Pakistani relationship, and possible futures.

Kashmir remains one of the most dangerous places in the world today.⁴ A fourteen-year insurgency continues to rage in the province supported both locally and by foreign assistance and volunteers. Border clashes between Indian and Pakistani forces remain a weekly, if not daily, ritual, and the infiltration of insurgents across the Line of Control has not stopped. International crises in 1990 and 2001/02, and a limited war between Pakistani and Indian regular forces in 1999, demonstrate that Kashmir remains an area of significant concern for regional and international security.

What Is a "Flashpoint"?

The notion that certain geographic locations are critical to understanding international conflict dates back several millennia. The region of Israel/Palestine, for example, represents a key crossroads between Egyptian and Mesopotamian empires and cultures. Control of the Khyber Pass was considered fundamental for the protection of the Indian subcontinent. Britain considered threats to the Low Countries, particularly the port of Antwerp, to be a *casus belli* throughout the eighteenth and nineteenth centuries, and its guarantee of Belgian neutrality weighed heavily in its decision to intervene against Germany as late as 1914.

A brief examination of flashpoints in the twentieth century provides some useful concepts. The most important aspect of a flashpoint is that it represents a *recurring* or relatively constant focus of conflict. Locations which are only an object of conflict on a single occasion, with the results then being broadly accepted by all actors, are not, by definition, a flashpoint. A flashpoint, therefore, occurs as a result of an unresolved conflict and the existence of at least one dissatisfied state.

Flashpoints can be contested territory between two powers, like the provinces of Alsace and Lorraine.⁵ Flashpoints can be formed as a result of ideological differences, like Cuba and Berlin. They can be the results of partition, resulting from negotiations or conflict, like divided Ireland, divided Germany (during the cold war), Israel/Palestine, and divided Korea. Finally, a "nuclear" flashpoint must, by definition, be a region in which one or more of the actors and/or their coalition partners has access to nuclear weapons.

Significant flashpoints share certain elements in common with Kashmir. These elements can loosely be generalized as politics, proximity, and paranoia. Flashpoints, in essence, (1) must be at the forefront of a significant and long-standing political dispute, (2) tend to become greater concerns if they are proximate to both adversaries, and (3) are of greatest concern when they threaten to involve or engage more powerful actors in the international community, raising the possibility of escalation to a broader war. For conceptual purposes, these elements have been assessed separately, but the most important flashpoints in the international system, both historical and contemporary, usually result from a combination of these elements.

Politics

States enter into conflict over disputed regions because they have real or symbolic value to both sides. At a minimum, both sides judge the region to be of sufficient value to threaten military action to promote their interests, and neither places a low enough value on the region to surrender it without a fight. The value of the object in this case could take many forms, but these forms can be loosely divided into fear (security), honor, and interest.⁶

Fear is a security-motivated concern, based on threat to the territorial integrity of the state, to the stability of a region or system of states, or perhaps to the state's core values. As a result, it is not automatically quantifiable – fear is a perception. The value of a flashpoint may be easily perceived by others – the Golan Heights between Syria and Israel, for example, provide a substantial geographic barrier to Syrian efforts to advance onto the Israeli coastal plain. Alsace-Lorraine represents a similar geographic buffer between France and Germany.

However, a flashpoint may also emerge as a result of the perception that the loss of that region would irreparably damage a state's position in a longer-term competition with an adversary – the loss of South Korea to Asian Communism (or, perhaps, to Chinese regional hegemony), for example. A region may also be inextricably linked with a state's vision of itself – its "national myth." Possession or loss of that location becomes a matter of security – an existential value – in addition to a matter of honor (see below), because the existence of the state is linked in the most fundamental terms to possession of the disputed territory. Alsace Lorraine in the 1870–1945 period, the concept of an

Eretz Israel including the West Bank, and the belief by some in a 32-county Irish Republic are examples of this phenomenon.

Finally, fear is also magnified by recurring crises. The knowledge that a region is coveted by another power makes policymakers much more sensitive to potential threats. Any time political tensions increase between the two adversaries, the disputed region will be a focus of attention on both sides, and the possessor will fear invasion or interference by its adversary. This phenomenon leads to increased risk of escalation – deliberate, accidental, or as a result of misperception.

Honor constitutes a crucial variable in international politics, and also is fundamental in understanding the nature of flashpoints. National honor is codified in the Westphalian concept of sovereignty – a theoretical commitment by the international system to the territorial integrity of states and to non-interference in domestic affairs.⁷ Territory is considered one of the fundamental assets of the state, and a crucial attribute of power in an anarchic international system. A commitment to Westphalian norms makes voluntary concession of territory to an adversary an extraordinary event. This concession usually only comes about as the result of successful coercion or compellence.

Honor has other elements beyond sovereignty, of course. States frequently wage war in support of international commitments – the looming war, at time of writing, in Iraq is a response at least in part to Iraq's failure to live up to international commitments made in 1991. States also make alliances, and wage wars in support of their allies. Defense of an ally is, to some extent, an affair of honor – the longer-term ramifications of failure to support an ally could also be dangerous to national interest (see below). Similarly, in long-term ideological disputes like the cold war, states may be motivated in part by honor to intervene on behalf of a like-minded regime when it is threatened by an adversary, or to pressure a state that has been lost – Cuba, for example.

Interest can be measured in a multitude of ways, but perhaps the most important is economic. Flashpoints might possess vital resources of economic or military value – the divided Rumaila oilfields between Iraq and Kuwait, for example.⁸ They can also be buffer zones or crossing points between hostile states or coalitions or forward bases for operations against adversaries. Domestic politics can also create interests, as can perception of historical trends. South Korea, for example, moved from a peripheral interest to a major flashpoint in

early 1950, at least in part because domestic pressure after the “fall” of China to Communism created new incentives for combating aggression in Asia.

Proximity

Geographic proximity increases the probability that a location will become a recurring scene of dispute. Hence, in Berlin, contiguous with East Germany and relatively close to West Germany, crises occurred relatively more frequently than in Cuba, even though both were the scene of significant nuclear-related crises. Alsace and Lorraine, located physically between Germany and France, and sharing cultural and linguistic roots with both states, became a pivotal region in European warfare for almost a century.

Partition creates proximity, in addition to other motives for conflict. Contested territory, as a result of partition, tends to be on the borders of the competing states. Partition or arbitrary boundaries can also create geographically indefensible borders, increasing motivations for conflict. The town of Crossmaglen was gerrymandered into the province of Northern Ireland, despite its geographical contiguity with a range of hills in County Monaghan (part of the then-Irish Free State). This creates a situation where it is easier to move to Crossmaglen from the south, across an international border, than it is to move from within Northern Ireland. This geographic condition contributed heavily to Crossmaglen's status as a Provisional IRA stronghold from 1970 to 2000. The entire region, in fact, was often referred to as “bandit country” because of the large portion of Catholics in the border area who were sympathetic to the IRA.

Proximity also contributes to the nature of conflict in these regions. The cost of war between states remains very high, and most states remain unwilling to authorize conventional war except in the most extreme circumstances. However, proximity and divided loyalties within some regions create opportunities for unconventional warfare, also referred to as low-intensity conflict. Insurgent groups can operate in the territory of the adversary, hoping either to generate public support or simply to cause harm, and then retreat across a national border in order to escape retribution. These insurgents may be actively supported by the neighboring government – the Sandinista government of Nicaragua supported El Salvador's FMLN insurgency in the 1980s. They could be used as proxy forces by a foreign power,

as the *contra* forces warring against the Sandinistas were used by the US, supported out of Honduras. In some cases, insurgents may threaten to replace the government of a neighboring state, as the PLO did in Jordan and Lebanon. Finally, some non-state actors receive local support and sympathy from citizens of a neighbor state, even though that government opposes their actions – the Provisional IRA is an example of this phenomenon.

Paranoia

The final element necessary to define a flashpoint is significant international concern – perhaps paranoia is too strong a word, but as indicated above many South Asian analysts find international concern over Kashmir to be excessive. This concern or attention can be generated from a variety of sources. The first, and most obvious, is the fear that limited conflict in a location will escalate into a broader war. In this case, the example of Crossmaglen used above does *not* fit into the definition of a flashpoint. Although this area of the Irish–Northern Ireland border has been repeatedly utilized by the IRA, the international community and great powers do not believe that this insurgency will lead to a war between the military forces of Ireland and the United Kingdom.

A second source of international concern would be the potential collapse of an alliance or an international security organization. Here, for example, the threat that Cyprus might lead to Greco-Turkish military conflict and a resulting threat to NATO made Cyprus a potential flashpoint.

A third source of international concern would be the potential for outside powers – great powers or perhaps superpowers – to become entangled in a regional war that could adversely affect international stability or security. In the nineteenth century, conflicts in northwest India, Afghanistan, and Persia always raised the potential for Russian interference. The possibility of escalation – from a local to a regional conflict, or from a regional conflict to a global conflict – represents a major factor in defining a region as a flashpoint.⁹

Flashpoints, to conclude, are areas of recurring international conflict. Their political geography makes them focal points for various types of violent conflict, and the relative political value of these areas make them prone to political-military crises. These crises not only engage neighboring adversaries, but also raise the possibility of outside

intervention with destabilizing impact on regional or international systems. Nuclear flashpoints also raise the risk of nuclear escalation, again on a regional or international scale, and therefore by definition at least one of the adversaries must possess nuclear weapons, or the possibility for intervention by outside nuclear powers must exist.

Kashmir as a Geopolitical Flashpoint

The Kashmir conflict fits this general definition rather neatly. As discussed elsewhere in this volume, Kashmir symbolizes both Indian and Pakistani national myths, and therefore for some elites control over the region constitutes an existential security concern.¹⁰ Both India and Pakistan also hold closely to Westphalian norms of sovereignty and territorial control, and compromise on the Kashmir issue remains elusive.¹¹ Kashmir figured prominently in Indo-Pakistani wars fought in the 1940s, the 1960s, and the 1990s, demonstrating the recurring importance of the region in bilateral relations.

Kashmir is also, of course, a product of the partition of the Indian subcontinent, and the ethnic and religious issues surrounding that partition. As such, portions of the population have divided loyalties, leading to significant civil disturbances in the 1960s and more recently in the 1989–2003 period. Non-state actors pose a serious threat to Indian political control in the region. Pakistan used the existence of separatist tensions to start a fully fledged war – the 1965 Indo-Pakistani war. It also used the existence of separatist support to attempt to infiltrate regular troops across the line of control in 1965 – “Operation Gibraltar” – and 1999 – the Kargil war. Finally, Pakistan continues to provide sanctuary, support, and training for both local Kashmiri insurgents and for foreign elements interested in supporting Kashmir separatism.

International attention focuses on Kashmir episodically, but with increasing concern since the 1980s. The Kashmir issue emerges periodically at the United Nations, which despite a series of resolutions has been unable to resolve the dispute. Pakistan continues to attempt to gain the support of the international Islamic community for its claims on Kashmir – support that remains tepid and ineffectual except for some extremist groups. The Commonwealth has also been unable to help India and Pakistan resolve their differences.

Great powers also play a role in the Kashmir dispute. Partition was the direct result of British decisions, and the British government bears some responsibility for the outcome. Pakistan became a cold war ally of

the United States, and was the recipient of considerable US military assistance and training. After a decade-long rift, Pakistan again became a valued ally in the 1980s, during the brutal Soviet occupation of Afghanistan. Most recently, the US and Pakistan agreed to cooperate in the war on terrorism.

India, while technically non-aligned throughout the cold war, drifted significantly toward the Soviet camp in the 1970s. A Treaty of Peace, Friendship and Cooperation with the Soviet Union contained a passage committing both sides to "consultation" in the event of a conflict, and Soviet and Russian arms continue to provide the vast majority of India's military equipment even today. Soviet veto power in the UN Security Council provided India with significant freedom of action in the 1971 Indo-Pakistani war, which culminated in the liberation of Bangladesh.

China also remains an important player in regional security relations. While a repetition of the humiliating defeat in the 1962 Sino-Indian war is unlikely, the unresolved border between India and China remains a possible flashpoint in its own right. China has also, since 1962, maintained close political and military connections with Pakistan. Chinese intervention was a priority for Pakistan and an Indian strategic concern in 1965, 1971, and 1999, although China refrained from military involvement on each occasion.

Kashmir, therefore, became a nuclear flashpoint as early as 1965, due to the interests of the United States (a nuclear superpower) and China (an emerging regional nuclear player). India's detonation of a nuclear "device" in 1974 turned each future Indo-Pakistani confrontation into a potential nuclear conflict. Pakistan accelerated its own nuclear program, and by the early 1980s was widely suspected of possessing nuclear weapons. The next section will, briefly, examine the rationale and development of nuclear capability by both sides, and the impact the weapons had on subsequent crises in Kashmir and neighboring regions.

South Asian Nuclear Capability

India

India's nuclear program dates back to the late 1940s, when Prime Minister Jawaharlal Nehru and his chief science advisor, Homi Bhabha, began an ambitious dual-use nuclear energy program that would provide for India's energy and, if necessary, security needs.¹² The program has been largely removed from public scrutiny, although occasional crises have brought the debate to the public eye. Decisions on the nuclear issue

were made by the Prime Minister and a handful of advisors, none of whom were military officers, resulting in an idealistic, highly symbolic, and deeply secretive nuclear program.

Although Nehru preferred to pursue policies which would lead to a more just and peaceful international system, the colonial experience left him wary of Indian vulnerabilities. Nuclear energy represented the highest echelons of science and technology in the 1940s and 1950s, and also offered dual-use capabilities – the same establishment that pursued nuclear energy could also, if necessary, create nuclear weapons. The achievements of the Indian nuclear program were formidable, although Bhabha reportedly exaggerated the rate of progress and potential in both energy and weapons developments. By the mid-1960s, after the death of Nehru and Bhabha, India was in a position to respond to China's 1964 Lop Nor nuclear tests within a reasonable interval. Efforts to find a foreign nuclear guarantee were unsuccessful, and the drafting of the Nonproliferation Treaty (NPT) threatened to foreclose India's nuclear option. Nevertheless, India chose not to test a nuclear device until 1974.

India's first test was announced as a peaceful nuclear explosion – an effort to take advantage of a loophole in the NPT.¹³ Attacked for violation of a treaty it had not formally signed, India argued that it would not be denied access to the most technologically advanced weapons in the international system – a position it later referred to as "nuclear apartheid."¹⁴ The 1974 nuclear test took place during a period of domestic political strain, and clearly was intended both for domestic appeal and as a symbol of international strength. However, India did not choose to pursue its nuclear option – no further tests were ordered, and no weaponization took place. In later years, Indian prime ministers chose to authorize and then cancel a nuclear test in 1982, to begin work on a series of land-based missiles as a potential delivery system in 1983, and to authorize advanced weapons designs but *not* to test them in 1986.

By 1994, India was widely acknowledged to have nuclear capability, but in the form of a "recessed" or "opaque" deterrent. The end of the cold war, and a renewed US commitment to nonproliferation, also changed India's political calculus – the emergence of growing support for an indefinite extension of the Nonproliferation Treaty and the possibility of additional sanctions under the Entry into Force provisions of the Comprehensive Test Ban Treaty.¹⁵ The result was a gradual shift from satisfaction with the symbolic nature of an opaque force to

increased pressure among elites for a test or series of tests to confirm Indian weapons designs.¹⁶ Tests were authorized and cancelled in 1995 after US satellite detection, authorized under the brief Vajpayee government of 1996, and finally took place shortly after a new BJP-led coalition took power in 1998.

India's strong tradition of civilian dominance of civil-military relations has largely isolated nuclear debates from professional military advice.¹⁷ Indian officers wrote about the possible need for a nuclear program as early as the 1960s.¹⁸ The former Chief of Army Staff, General Krishnaswamy Sundarji, became one of the foremost proponents of a nuclear program in the 1980s. It was not until 1988, however, that the then-Chief of Staff of the Indian air force and a small cadre of air force officers independently initiated notional planning for a nuclear force.¹⁹ India created an "opaque" nuclear posture – gradually acquiring all of the hardware elements necessary for a nuclear arsenal. The "software" side – doctrine, command and control, formal lines of authority, and military planning – was neglected, or at least not formally prioritized, even under the leadership of General Sundarji.

India's nuclear debates have been dominated by a succession of political leaders and by the scientific community dedicated to the development of the nuclear program.²⁰ Development of nuclear weapons demonstrates advanced technological and scientific capacity, symbolizes the strength of the Indian state and civilization, and fulfills a primarily political function in deterring possible hostile acts by outside powers. Indian analysts and policymakers point primarily to China as a rationale for Indian nuclear policy.²¹ Sino-Indian relations have improved substantially since the 1962 Himalayan war, and China has shown little interest in expanded confrontation with India.²² The ongoing political conflict with Pakistan represents the most likely threat of physical invasion, but this is a scenario that India has proven itself capable of handling easily well short of the nuclear threshold. Given the relative lack of significant military threat, and the absence of military advice, it is hardly surprising that India "muddled through" with a series of nuclear policies (one can hardly call them doctrines) that appear highly idealistic. India carried out no systematic planning for utilizing nuclear weapons, for their command and control, or for operating in a nuclear environment, until after the May 1998 tests.

Pakistan

The driving factor behind Pakistan's nuclear capability is the perceived threat from India.²³ A peaceful nuclear research program was initiated in the 1950s, but it was not until the 1960s that a civilian – Foreign Minister Zulfikar Ali Bhutto – made the nuclear program a national issue. Bhutto saw the nuclear weapon as a substitute for failed alliances with the US, as a symbolic counterweight to India's much larger and more advanced nuclear program, and as a means of undercutting the domestic political power of the Pakistani army.²⁴ The nuclear program also provided a potential means of securing greater political and economic support from the Islamic world. In this respect, it was linked with Pakistani foreign policy and the Kashmir question at an early date.

The program accelerated after the disastrous 1971 war with India, which demonstrated Pakistan's inability to defeat India conventionally, and particularly after India's nuclear test in 1974. When General Zia-ul-Haq deposed Bhutto in a 1977 coup, the nuclear program was put firmly under military control. It quickly became a fixation in the Indo-Pakistani relationship as well as an irritant to the renewed US-Pakistani partnership against the Soviet Union's invasion of Afghanistan.²⁵

Pakistan's nuclear program was enabled by a combination of espionage, foreign assistance, and international circumstance.²⁶ The US requirement for Pakistani support in the Afghan war precluded serious attempts to stop the Pakistani nuclear program.²⁷ The leading Pakistani scientist involved in the nuclear weapons program, Dr. A. Q. Khan, stole design plans for Pakistan's facilities from the Netherlands. Pakistan also benefited from Chinese assistance, reportedly including observation of Chinese nuclear tests at Lop Nor, support in a "cold test" of Pakistan's weapons designs, and actual transfer of pre-tested designs for a missile warhead.²⁸

Throughout this period, Pakistani nuclear doctrine and policy remained deliberately opaque and ill-defined. Leaders spoke openly of Pakistan's nuclear capability when in opposition: Benazir Bhutto, for instance, reported that she had no control over Pakistan's nuclear forces in the 1990 crisis.²⁹ Officials implied that the capacity to make nuclear weapons existed, but continued to officially deny the existence of actual weapons.³⁰ Nevertheless, the most authoritative study of Pakistani nuclear doctrine emphasizes that no serious effort was made to develop either a doctrine or a secure command and control system until *after* the nuclear tests – even though Pakistan had been nuclear capable for a

decade.³¹ Like India, therefore, Pakistan also followed a *laissez-faire* nuclear doctrine until after the tests forced more serious reconsideration.

Kashmir as a Nuclear Flashpoint, 1984–2003

Quasi-Nuclear Crises

Pakistan's growing nuclear potential, and the reactivation of the American alliance in the 1980s, created new opportunities for a favorable resolution of the Kashmir issue. Pakistan renewed efforts to bring Kashmir to the attention of international fora like the United Nations. It also became the major training area and sanctuary for Afghani resistance fighters, and for foreign nationals who came to wage *jihad* against the Soviet Union. The combination of more robust conventional forces (due to US military assistance), emerging nuclear capabilities, and growing expertise in managing insurgent forces allowed Pakistan to once again consider resolving the Kashmir issue through force.

Poor Indian governance laid the seeds for a local insurgency in 1989.³² Pakistan capitalized immediately on the opportunity, providing bases, training, and logistic support for local insurgents, and for increasing numbers of foreign volunteers. Pakistan now concentrates on supporting the violence in Kashmir both to keep the issue in the forefront of the international community and also to create a prolonged attrition of Indian forces and resources, hoping that in time the Indians will give up and concede the region. Nuclear capability provides Pakistan with a means of deterring significant Indian conventional escalation and also with the ability to attract US intervention in crisis.

Nuclear crises in 1984, 1986/87, and 1990 brought troubling aspects of South Asia's new nuclear dimension to the attention of international observers. Events in the region gradually created the impression that the Indo-Pakistani border, and particularly the line of control in Kashmir, represented a potential nuclear flashpoint. The US–Pakistan link, the Sino-Pakistan relationship and continued Indo-Soviet cooperation raised the possibility, until the end of the cold war in 1989/91, that a regional conventional crisis could escalate to a regional nuclear problem, possibly involving external nuclear powers.

The combination of emerging Pakistani nuclear capabilities and increasing ethnic unrest in northwestern areas of India increased the probability of crisis. Indo-Israeli discussions on a possible preemptive

strike on Pakistan's Kahuta weapons facility were reported in the early 1980s.³³ A crisis almost occurred in 1984 as a result of inadequate intelligence capabilities. The inability to locate key Indian air force units, deemed most capable of launching a successful preemptive strike, led Pakistan to move to a higher level of alert and conventional deployment.³⁴ Later that year, an explosion of Sikh separatism wracked the Indian province of Punjab, leading to a vicious insurgency that lasted almost a decade.

Mishandling of center-state and ethnic tensions in Punjab created an internal crisis for India. The election of Rajiv Gandhi with an overwhelming parliamentary majority in 1986 set the stage for a series of nuclear-related crises, and also marked a brief period of unprecedented Indian military adventurism. In 1986–87, India undertook a four-part series of military exercises called "Brasstacks" – exercises in which the mechanized forces of the Indian army carried out combined arms operations on an unprecedented scale close to the Pakistani border.³⁵ The objective of these maneuvers remains unclear. It is possible that the Indian leadership – Prime Minister Rajiv Gandhi, General Krishnaswamy Sundarji, and Deputy Minister for Defense Arun Singh – deliberately took India to the brink of preventive war. According to Indian reports, "Operation Trident" – the reconquest of the northern areas and Pakistan-held Kashmir, ordered at the height of the crisis – was called off less than two hours before it was scheduled to begin.³⁶

If India's intention was preventive war, the conditions were hardly ripe. Pakistan responded to the crisis forcefully and effectively. Pakistan's armed forces had been modernized with US and Chinese help, so that even though India was in the midst of an unprecedented surge in military spending, the conventional military balance was fairly close. India was threatened by the increasing insurgency in Punjab – a threat that Pakistan leveraged by moving armored forces to threaten a counterstroke into that state at the height of the crisis. Finally, Pakistan was close to possessing nuclear weapons – a possibility that may have prompted India to consider preventive war, but which also raised the stakes substantially. The crisis ended abruptly, leading some analysts to suspect that the Indians moved to the brink of war and then blinked.

As the result of Indian misgovernance, an indigenous insurgency opened in Kashmir in the winter of 1989. This insurgency was seized upon by both political and military leaders in Pakistan. For Prime

Minister Benazir Bhutto, the plight of Kashmiri Muslims became a domestic rallying factor. She harshly condemned Indian human rights violations, spoke out for Kashmiri self-determination, and made dangerous comments about fighting a thousand-year war with India if necessary. Opposition parties seized the opportunity as well, criticizing her lack of response and pushing domestic debate to the political extreme.³⁷ Most disturbingly, thirty training camps were established inside Pakistan, and Pakistani military and intelligence agencies provided support to the insurgents.³⁸

India's domestic political situation was also volatile. The new Prime Minister, V. P. Singh, hoped for better political relations with Pakistan, but this option was foreclosed by the Kashmir uprising and domestic criticism. The Kashmiri insurgency coincided with Indian and Pakistani winter military maneuvers, adding the threat of conventional escalation to an already volatile policy mix. Both India and Pakistan maintained forces in the region, although reportedly neither moved heavy armored formations – avoiding a repetition of Brasstacks. The 1990 crisis reportedly included the actual deployment of Pakistani nuclear weapons to air bases, although this has been disputed by many of the key players in India, Pakistan, and the US.³⁹ Robert Gates, the Deputy National Security Advisor, rushed to the region to defuse what Washington believed amounted to a potential nuclear crisis. The "Gates Mission" in mid-May helped reassure both countries about military mobilization on their border, and delivered a harsh assessment of Pakistan's ability to compete in either conventional or nuclear conflict to leaders in Islamabad. The Kashmir crisis was considered sufficiently volatile that President Bush and President Gorbachev of the Soviet Union issued a joint statement warning of the possible consequences of war in the region.⁴⁰ The Kashmir issue, in the eyes of the superpowers and the international community, had finally become irrevocably linked with nuclear weapons.

"Real Nuclear Crises" – Kargil and the War on Terrorism

On May 11, 1998, India simultaneously detonated three separate nuclear devices – one reportedly a thermonuclear device, one a roughly Hiroshima-sized fission device, and the third a miniaturized, subkiloton device.⁴¹ Two days later, India staged two more tests of subkiloton devices. One of the subkiloton devices reportedly used a reactor-grade, rather than the purer weapons-grade, mix of plutonium.⁴² The nuclear

tests met with nearly universal approval within India, where polls suggested over 90% of the public supported the tests, and significant disapproval in the international community, which condemned the tests and imposed economic sanctions on India.

On May 28, 1998, after over two weeks of intense diplomatic activity, Pakistan also tested nuclear devices. The number of tests is still contested – Pakistani authorities claimed five, but other analysts remain unconvinced.⁴³ Two days later, on May 30, Pakistan tested another device, which it announced was "miniaturized," and some reports state that another device was left unexploded in a shaft. The yields of both Indian and Pakistani tests remain disputed, but seismic evidence unquestionably confirms that both states detonated nuclear weapons.⁴⁴

In the eyes of many analysts, the 1998 nuclear tests, and more importantly Pakistan's prompt counter-tests, actually degraded Indian security in the near-term. The overt demonstration of nuclear weapons in the subcontinent increased international attention to the region and the Kashmir issue. India assumed that the presence of nuclear weapons led to stability and peace, and initiated the Lahore peace process. Pakistan, however, took advantage of the "stability-instability" paradox brought about by the presence of nuclear deterrence – the notion that high-intensity conflict that might threaten the survival of states is deterred, but not lower level conflict.⁴⁵

The value of nuclear weapons as "cover" for more aggressively pursuing Pakistani ambitions at lower levels of intensity was both recognized and publicly addressed. Indian *military* leadership recognized this possibility but it appears to have been largely rejected by Indian political elites.⁴⁶ According to the Indian Kargil Review Committee Report, as early as 1991 the Joint Intelligence Committee anticipated that Pakistan would use its nuclear capability to limit Indian conventional retaliation in event of low-intensity conflict.⁴⁷ Shortly before the Kargil operation was discovered, then Chief of Army Staff General Pervaiz Musharraf announced that while nuclear weapons had made large-scale conventional wars obsolete in the subcontinent, proxy wars were very likely.⁴⁸

The Kargil war of 1999 was the first war in a nuclearized South Asia, and arguably the first real war between two nuclear states. Although nuclear weapons were not used, the nuclear issue unquestionably permeated the conflict. Nuclear tests by both states redefined the conflict in the eyes of both adversaries, driving changes in policy and

objectives. Pakistan attempted, for reasons that are still unclear, to use military coercion against India, infiltrating about 2,000 regular and irregular troops over the Line of Control near Kargil.⁴⁹ This operation threatened the Srinagar-Leh highway – the primary route of both supply and transit for India in northern Kashmir, indirectly attacking Indian garrisons at Ladakh and Siachen Glacier. This operation would also provide substantial support for the insurgency in Kashmir, and draw off the attention of Indian security forces.

This attack on India, coming shortly after the historic Lahore Agreement, was viewed as base treachery by India and as outright aggression by the international community. Pakistan may have assumed that the threat of nuclear confrontation would spark rapid international diplomatic intervention – if so, it was incorrect. Both the US and China refused to support Pakistan, and the international community called for a prompt withdrawal.

Pakistan also misinterpreted India's willingness to defend the Kargil region. Although Pakistan crossed the Line of Control, rather than the international border, India interpreted this as an invasion of sovereign territory and responded swiftly and with massive force. Where Pakistan hoped, perhaps, to draw a parallel to India's occupation of Siachen glacier in the 1980s, both India and the international community interpreted this move as an invasion of Indian sovereign territory across an established border. Significantly, India did not escalate or expand the conflict by crossing the Line of Control or the border – a tactic India had first used in 1965.⁵⁰ In short, it appears that India was deterred from escalation – either vertical or horizontal – by Pakistan's nuclear capability.⁵¹ According to reports, both India and Pakistan may have alerted and/or deployed nuclear weapons and delivery systems during the crisis.⁵²

The Kargil experience contributed to significant changes in Indian nuclear and military doctrine. India's Draft Nuclear Doctrine (DND), issued in August 1999, conveniently coincided with domestic political elections.⁵³ This doctrine was clearly the compromise of a number of different points of view regarding the size, potential targets, and utility of India's emerging nuclear arsenal. The DND articulated a need for a survivable second-strike force, but also suggested that, unlike the US-Soviet competition, retaliation did not need to be immediate – only assured. This would permit lower levels of readiness, and perhaps smaller nuclear forces, than the superpower competition. The DND

also placed great emphasis on survivability – on deception, concealment, and mobility. It re-articulated India's commitment not to be the first state to use nuclear weapons.

In early 2000, Minister of Defense George Fernandes announced a new "limited war doctrine." This new doctrine recognized that there was a "strategic space" in which conventional combat could take place without triggering nuclear deterrence.⁵⁴ Both concepts aimed at denying the Pakistanis any advantage through the threat of nuclear escalation in the future.

Pakistan responded with public discussion of new command and control arrangements, ensuring that nuclear weapons would be closely controlled and readily available to military commanders in crisis.⁵⁵ The concept of limited war – the cornerstone of the Kargil operation – was publicly rejected by Pakistan's Foreign Minister, Abdus Sattar.⁵⁶ Pakistan continued to stress the danger of war, the aggressive policy of India against Kashmiri insurgents, and the importance of US assistance in resolving the Kashmir issue.⁵⁷ The failure of negotiations at Agra indicated the damage Kargil had done to the bilateral relationship.⁵⁸

The December 13, 2001 terrorist attack on the Indian parliament prompted an angry Indian response, including an unprecedented military buildup on the Indo-Pakistani border and the Line of Control in Kashmir. India also began a careful campaign to undermine confidence in Pakistan's nuclear deterrent. On December 25, 2001, Jana Krishnamurthy – President of the ruling BJP party – warned Pakistan that "its existence itself would be wiped off the world map" if it attempted to use nuclear weapons.⁵⁹ Minister of Defense Fernandes stated that India would not be deterred by Pakistani nuclear threats, and that attacks on Indian troops would be treated as attacks on Indian soil on January 3, 2002.⁶⁰ Similar threats were echoed by Chief of Army Staff General Padmanabhan on January 11, 2002.⁶¹ Given the limited role of the military in formulating nuclear policy, this clearly suggested that his statements were made at the behest of the government. The testing of the 700–800 km Agni-1 missile in January reinforced the idea that India had nuclear-capable forces postured for use against Pakistan.⁶²

The response of the Indian government was a clear attempt at military coercion, utilizing the lessons learned from the Kargil conflict.⁶³ India initiated an unprecedented military buildup, calling formations from central and eastern India to the Pakistani border.⁶⁴

This included the positioning of three "strike corps," each based around an armored division, to threaten strikes at major cities (Lahore) and the highway that links Lahore with the port city of Karachi.⁶⁵ Over a period of approximately 2-3 weeks, India moved hundreds of thousands of troops to forward positions at the Pakistani border, and began digging fortifications and laying minefields.⁶⁶ Large exercises testing warfighting capabilities in a nuclear battlefield were announced.⁶⁷ India even cancelled the Army Day parade as a signal of serious intent.⁶⁸ Indian reports state that the Indian air force and Indian commando forces were prepared to strike dozens of militant bases and several major military targets within two weeks after the December 13 attack.⁶⁹

Ultimately, however, this vast mobilization of potential coercive force did not achieve concrete gains.⁷⁰ India's public demands were relatively moderate – formulated so that they were easily met, but also easily avoided. India submitted a list of 20 terrorists that it wants Pakistan to hand over, but publicized the names in such a way that the targets could easily go into hiding.⁷¹ India also demanded observable reductions in the infiltration of insurgents into Kashmir.⁷² Infiltration, by its very nature, is difficult to determine, and Pakistan can plausibly claim that determined *jihadis* will make their way over the rugged LOC.

This limitation became obvious in May of 2002, when the crisis reemerged in an even more dangerous manner. Infiltration had not stopped, and the attack by terrorist forces on the Kaluchak barracks resulted in the deaths of dozens of innocent women and children.⁷³ India responded through a series of military acts, including the movement of strike corps, combining India's Eastern and Western Fleets in the North Arabian Sea, and placing paramilitary forces in Jammu and Kashmir under formal military command, and reportedly preparing a series of military strikes before the monsoon season began in mid-June.⁷⁴

Pakistan's response clearly indicated the escalation of nuclear rhetoric in the region. In the May 25-28 period, Pakistan tested three nuclear capable ballistic missiles. On May 29, Munir Akram, Pakistan's newly appointed Ambassador to the United Nations made the following statement: "So long as the use of force is outlawed, we will accept no first use of nuclear weapons also. But India should not have the license to kill with the use of conventional weapons while our hands are tied with regard to other means to defend ourselves."⁷⁵ He further commented: "We do not wish to expend our limited resources on

building up a conventional defence which will completely debilitate our development ... We have to rely on means to deter Indian aggression. We have that means and we will not neutralise it by any doctrine of no first-use."⁷⁶ Finally, Akram explicitly linked the nuclear crisis with a international political intervention for a resolution of the Kashmir crisis. He also stated that Pakistan considered "punitive economic measures" to be a form of aggression that might justify nuclear retaliation.⁷⁷

The 2002 crisis suggested two significant trends in the subcontinental nuclear relationship – the willingness of both states to rely increasingly on US intervention, and the more alarming assumption by some Indian analysts that the US would intervene to control Pakistan's nuclear arsenal in crisis.

The use of strong nuclear rhetoric by both sides certainly creates an incentive for US involvement in a crisis. In India's case, this is a significant reversal of cold war policy, when India attempted to isolate the region from external interference, and to balance potential US intervention by closer relations with the Soviet Union. In a nuclearized region and a unipolar international system, however, US involvement promises both a buffer against escalation and a third-party channel of communications in crisis.

Both states, therefore, attempt to manipulate the US perception of the Kashmir dispute, and both appear to put increasing emphasis on stimulating early US intervention. Pakistan emphasizes, and may actually exaggerate, its conventional weakness and its need to rely on early use of nuclear weapons as a means of preventing Indian movement across the LOC or border. India stresses Pakistan's instability, unpredictability, and support for terrorism, and relies on increasingly open nuclear rhetoric to remind the US of the danger in the region. Both approaches increase US fears of nuclear escalation, by accident, unauthorized use, or misperception, in a future crisis. Both states, however, have also been exposed to the limitations of the US role. Pakistan relied on US support in the Kargil war, and was rudely disappointed. India hoped for significant support at the height of the Kalachak crisis, and was surprised by the US recommendation to evacuate all non-essential personnel and all US civilians from India and Pakistan in late May, 2002.⁷⁸

A second, and more disturbing, trend is the increasing discussion of a possible US preemptive role to prevent Pakistan's use of nuclear

weapons in a crisis. This issue was raised dramatically shortly after the terrorist attack on September 11, 2001 in an article by investigative reporter Seymour Hersh, claiming that the US was training with an Israeli special forces unit to seize control of Pakistan's nuclear arsenal.⁷⁹ This report was repudiated by none other than President George W. Bush in a telephone conversation with President Musharraf, where he reportedly stated that "Seymour Hersh is a liar."⁸⁰ However, some Indian analysts continue to believe that the US can and will intervene in a crisis, seizing control of Pakistani nuclear assets in a definitive combination of preemption and escalation control.⁸¹ Nevertheless, the possibility – particularly in response to a seizure of power or assets by non-state actors or *jihadists* – continues to be a concern.⁸²

Conclusions

Kashmir remains a nuclear flashpoint. In fact, all of the different articles in this collection support that conclusion. The political factors that create the basis for continued crises – Pakistan's intransigence and India's inability to manage an internal resolution – show no signs of abating.⁸³ The problems caused by proximity, in terms of ease of infiltration across the LOC and the expansion of terrorist attacks to neighboring regions of India like the New Delhi attack of December 13, 2001, cannot be resolved short of a comprehensive political solution.⁸⁴ The role of external powers remains fundamental in conflict management in the region. The paranoia demonstrated by both China and the US regarding possible conflict escalation in the region encourages both India and Pakistan to attempt to manipulate them for local advantage.⁸⁵

The nuclear lessons of Kargil and the 2002 crisis have not yet been fully assimilated, but it appears that both sides are moving away from previous policies of recessed deterrence. India's nuclear capability and policy is moving, slowly but perceptibly, in pursuit of the ability to wage limited conventional wars in a nuclear environment, to dominate escalation in the event of a conflict, and to create a legitimate, usable and survivable nuclear force that can exercise military options in order to enhance deterrence.⁸⁶ In short, India is following a path similar to those of the superpowers during the 1950s, although the pace remains slow and the trajectory could change given significant political direction.⁸⁷

However, Indian military leaders have emphasized India's shrinking relative conventional advantage over Pakistan, despite the vast

imbalance in military spending.⁸⁸ India's renewed interest in preemptive strategies and doctrines, spurred by the new US National Security Strategy and the recent war on Iraq, may suffer from an absence of adequate conventional resources.⁸⁹ This suggests that Pakistan may be able to continue to exploit the Kashmir issue in the near future, and that India may be relatively more reliant on nuclear rhetoric and threats.⁹⁰

Pakistan has also revised its perceptions of the role of nuclear weapons in the subcontinent. Kargil demonstrated the limitations of the stability-instability paradox, particularly at a time when the international community rejects the notion of terrorism, of redefining borders through force, and views South Asia as an extremely likely, if not the most likely, location of a nuclear war in the future. Pakistan has had to detail a set of potential nuclear red lines in order to limit India's conventional options in limited war.⁹¹ These guidelines include significant losses of territory, destruction of large parts of the army or air force, efforts at economic strangulation including controlling the flow of the Indus waters or sea blockade, and significant Indian support for domestic destabilization in Pakistan. Pakistani command and control procedures have also shifted to ensure that the weapons can be quickly devolved to operational military control, and will be easily used in a crisis.⁹² In fact, Pakistani nuclear doctrine appears to be based on a policy of deliberate vulnerability and instability, aimed to convince India and the US that any escalation to the conventional level might lead immediately to a nuclear response.⁹³

The continuing conflict in Kashmir and on the LOC virtually ensures that pressure for higher levels of alert and relatively more traditional forms of nuclear deployment – including larger arsenals and more careful military planning regarding nuclear weapons use – will increase, as both sides alter their doctrines and forces to adjust to changing realities.⁹⁴ This does not mean that nuclear war is inevitable, any more than it did in the cold war. However, the position of nuclear optimists – South Asian and Western alike – that no nuclear powers will ever fight a war has been substantially undermined by the Kargil experience. What some analysts have referred to as an "arms crawl" in the subcontinent is now turning into an "arms lurch" – quicker, less predictable, and relatively more capable of causing harm to both sides.

Kashmir remains the most likely arena of conflict between India and Pakistan, due to the religious, historical, political, and symbolic importance of the region to both sides. It remains highly militarized,

and while there is some indication that the indigenous population is tired of the conflict, it remains relatively easy and inexpensive for Pakistan to bolster the insurgency with outside "volunteers." Pakistani military and intelligence support for infiltration continues, despite commitments to both the US and Indian governments, and therefore the risk of escalation to more formal conventional conflict remains real.⁹⁵

Kashmir is now more important than ever in the eyes of the international community. In the new environment of the twenty-first century war on terrorism, relations between Islam and other religions and cultures take on a particular sensitivity. Opponents of the US point to its positive relations with both Israel and India – both states which, in the eyes of many in the Islamic world, are actively engaged in repressing Muslims. The importance of Pakistan to US efforts in the war on terror, although waning slightly after the overthrow of the Taliban regime in Afghanistan, remains high, particularly as Al Qaeda and Taliban refugees flood into Baluchistan and the Northwest Frontier Provinces, and engage in terrorist acts against both the Musharraf regime and against foreigners and Christians in Pakistan itself. Al Qaeda fighters have been reported as active on both sides of the LOC. These unpleasant facts increase the risk of unauthorized use, and US concerns for escalation.

Acts of terror have sparked both the war on terrorism itself and the last two Indo-Pakistani nuclear crises. Only the most sanguine and idealistic observers of the subcontinent could believe that another crisis is unlikely – in fact, recent rhetoric between India and Pakistan has again emphasized the nuclear nature of their conflict, and diplomatic staffs in their respective embassies have been reduced by approximately 60%.⁹⁶ The US actively seeks better relations with both states, but can neither resolve the Kashmir dispute – despite efforts by both sides to enlist US support for their respective positions – nor ignore it. The apparently irreconcilable differences between the two states, Kashmir's location – both geographic and symbolic, as a crucial element of each state's identity – and the US and international community's concern over crisis escalation remain unchanged. The three key factors of politics, proximity, and paranoia drive the inescapable reality that Kashmir will remain a nuclear flashpoint for the foreseeable future.

NOTES

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The views and analysis expressed in this article are the author's own, and do not represent the policy of the US Navy, the Department of Defense, or any other agency of the United States government.

1. Press Trust of India, *The Tribune* on-line edition (March 22, 2000), "Narayanan – Kashmir No N-Flash Point", www.tribuneindia.com/2000/20000322/nation.htm#1, accessed February 12, 2003.
2. Google search carried out February 12, 2003.
3. Raja Mohan, "Managing the 'Nuclear Flashpoint,'" *The Hindu*, December 17, 2001.
4. While the notion of Kashmir as the most dangerous place in the world may be hyperbole – particularly at the time of writing, when North Korea appears to have surpassed South Asia as the highest risk of nuclear confrontation – increasing Indo-Pakistani tension and the symbolic importance of Kashmir for political elites in both countries does create a serious risk.
5. Alsace and Lorraine were part of France until 1871, when they were ceded to the newly founded German empire after France's defeat in the Franco-Prussian war. Recovery of the provinces became a crucial element of French foreign policy in the 1871–1914 period, a key objective of French war planning (including PLAN XVII utilized in August and September 1914), and a demand at the Versailles peace conference of 1919. They were later re-occupied by Nazi Germany after France's defeat in 1940, and liberated and re-assigned to France in the campaign of 1944–45.
6. Thucydides' *The Peloponnesian War* describes the motives for war in terms of fear, honor, and interest (Book I: Verse 75, line 3). This text is the first major work in the Western tradition of international relations, and remains fundamental to the "realist" school of foreign policy even today.
7. For an interesting study of the importance of this issue in the developing world, see Mohammed Ayoob, *The Third World Security Predicament* (Boulder, CO: Lynne Rienner, 1995). Ayoob argues that the developing world clings to Westphalian notions of sovereignty even as the developed world has begun to move beyond it. This notion is also intimately related to the debate over the international impact of globalization. Another excellent reading on this topic is Robert E. Harkavy and Stephanie G. Neuman, *Warfare and the Third World* (New York: Palgrave, 2001).
8. The border between Iraq and Kuwait is drawn through the middle of these oilfields. One of Iraq's justifications for conquering Kuwait in 1990 was the claim, apparently accurate, that Kuwait was "slant-drilling" and taking oil underground from Iraq's side of the border.
9. Because the conflicts in these regions are not resolved, each succeeding crisis between the competing states draws greater international attention to the region, further confirming the "regional flashpoint" status. This tautological phenomenon can only be resolved by a mutually a final resolution of the disputed region, either by success in war or by mutual agreement.
10. Although the Nehruvian notion of a secular Indian state is, perhaps, receding in the new Indian domestic climate, it remains a compelling image for some Indian elites. The reluctance of Pakistani elites, both civilian and military, to publicly consider compromise on the Kashmir issue is well documented.
11. "Track Two" discussions of Kashmir occasionally appear to offer promise. No Pakistani regime, however, has ever publicly committed itself to considering a compromise on Kashmir. The closest any regime has come were the secret negotiations at Simla in 1972,

- which are still disputed by the Pakistanis.
12. The best single volume history of India's nuclear weapons program is George Perkovich, *India's Nuclear Bomb* (Berkeley: University of California Press, 1999). See also Raj Chengappa, *Weapons of Peace* (New Delhi: HarperCollins Publishers India Pvt Ltd, 2000), and Ashley J. Tellis, *India's Emerging Nuclear Posture: Between Recessed Deterrent and Ready Arsenal* (Santa Monica, CA: RAND, 2001).
 13. Key scientists involved in that test later suggested that it was actually a test of a weapons design. If it was a weapons design, it is not clear that it was a particularly practical one—debates continue about the yields of all the Indian nuclear tests, and comments after the May 11, 1998 test suggest that the fission weapon was a smaller, more easily delivered version of the original test design.
 14. Jaswant Singh, "Against Nuclear Apartheid," *Foreign Affairs*, Vol. 77, No. 5 (September/October 1998), pp. 41–52.
 15. India's motives for testing in the 1990s are investigated in Deepa M. Ollapolly, "Mixed Motives in India's Search for Nuclear Status," *Asian Survey* Vol. 41, No. 6 (November/December 2001), pp. 925–42.
 16. Tellis, *India's Emerging Nuclear Posture*, pp. 192–211 for a discussion of these issues.
 17. Regarding India's unusual civil-military relationship and strategic culture, see Lorne J. Kavic, *India's Quest for Security: Defence Policies 1947–1965* (Berkeley: University of California Press, 1967), and George Tanham, *Indian Strategic Thought: An Interpretive Essay* (Santa Monica, CA: RAND, 1992).
 18. Major General Som Dutt, *India and the Bomb*, Adelphi Paper 30 (London: International Institute for Strategic Studies, 1966).
 19. Perkovich, *India's Nuclear Bomb*, p. 296.
 20. This is the focus of Perkovich, *India's Nuclear Bomb*.
 21. See "India's Letter to Clinton on Nuclear Testing," *New York Times*, May 13, 1998 (internet edition: www.nytimes.com). On this issue, two other quasi-official documents are of interest. See Singh, "Against Nuclear Apartheid"; "Paper Laid on the Table of the House on Evolution of India's Nuclear Policy."
 22. Even hawkish analysts have difficulty defining a credible Chinese threat to India. While India attempted to use the Chinese threat to justify its 1998 tests, it quickly backed away from this contention. A chapter in an edited volume by one of India's leading hawks fails to present a compelling vision of a Chinese threat. See Ravi Rikhye and Pushpinder Singh, "External Threats and India's Conventional Capabilities: Perspectives till 2010," in Bharat Karnad, ed., *Future Imperilled: India's Security in the 1990s and Beyond* (New Delhi: Viking Books, 1994), pp. 85–98.
 23. For an overview, see Timothy D. Hoyt, "Pakistani Nuclear Doctrine and the Dangers of Strategic Myopia," *Asian Survey* Vol. 41, No. 6 (November/December 2001), pp. 956–77; and Zafar Iqbal Cheema, "Pakistan's Nuclear Use Doctrine and Command and Control," in Peter R. Lavoy, Scott D. Sagan, and James J. Wirtz, eds., *Planning the Unthinkable: How New Powers Will Use Nuclear, Biological, and Chemical Weapons* (Ithaca: Cornell University Press, 2000), pp. 158–81.
 24. See Zulfikar Ali Bhutto, *The Myth of Independence* (London: Oxford University Press, 1969). Bhutto, the Foreign Minister under President Ayub Khan in the mid-1960s, became the President and Prime Minister of Pakistan from 1972 to 1977, after the independence of Bangladesh.
 25. The Pressler Amendment, Section 620E(e) of the Foreign Assistance Act of 1961, became law in 1985. It required the US President to certify that Pakistan did not possess a nuclear weapon, in order for foreign aid to be distributed. President Reagan so certified during each of his years in office, but with the waning of the Soviet war in Afghanistan and the increased evidence of Pakistan's nuclear weaponization, President Bush was unable to certify Pakistan in 1990, and economic and military assistance was suspended.
 26. See, for example, Rodney W. Jones and Mark G. McDonough, *Tracking Nuclear Proliferation: A Guide in Maps and Charts, 1998* with Toby F. Dalton and Gregory D. Koblenz (Washington, DC: Carnegie Endowment for International Peace, 1998), pp. 131–46.

27. Devin T. Hagerty, *The Consequences of Nuclear Proliferation* (Cambridge, MA: The MIT Press, 1998), pp. 78–82, discusses the conflicted US policy towards Pakistan from 1980 to 1986.
28. There are discrepancies in the histories of Pakistani nuclear developments in the 1980s. See Owen Bennett Jones, *Pakistan: Eye of the Storm* (New Haven: Yale University Press, 2002), p. 202.
29. Seymour Hersh, "On the Nuclear Edge," *New Yorker*, March 29, 1993, pp. 68–73.
30. "Pakistan Can Build One Nuclear Device, Official Says," *Washington Post*, February 7, 1992.
31. Cheema, "Pakistan's Nuclear Use Doctrine and Command and Control," p. 159.
32. See Sumit Ganguly, *The Crisis in Kashmir: Portents of War, Hopes of Peace* (Cambridge: Cambridge University Press, 1997).
33. See Jones, *Pakistan*, pp. 187–91 for reports that Pakistan feared a preemptive strike on at least four occasions, 1983–98.
34. Perkovich, *India's Nuclear Bomb*, pp. 252–59.
35. For details, see Hagerty, *The Consequences of Nuclear Proliferation*; Kanti P. Bajpai et al., *Brasstacks and Beyond: Perception and Management of Crisis in South Asia* (Urbana-Champaign, IL: ACDIS, June 1995). A very interesting work is Ravi Rikhye's *The War That Never Was: The Story of India's Strategic Failures* (New Delhi: Chanakya Publications, 1988), which points out the serious flaws in Indian military planning while simultaneously rejecting the possibility of a Pakistani nuclear capability.
36. This report is cited in Rikhye, *The War That Never Was*, p. 195.
37. Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions since 1947* (New York: Columbia University Press, 2001), pp. 92–93.
38. Mary Anne Weaver, *Pakistan: In the Shadow of Jihad and Afghanistan* (New York: Farrar, Straus and Giroux, 2002), p. 206.
39. The nuclear deployment report comes from Hersh, "On the Nuclear Edge," pp. 55–73, and is repeated in William E. Burrows and Robert Windrem, *Critical Mass* (New York: Simon & Schuster, 1994), pp. 60–90. It is also supported by Weaver, *Pakistan*, p. 206. According to the US ambassadors in New Delhi and Islamabad at the time, however, the U.S. government was unaware of any nuclear deployment, or even of the evacuation of nuclear materials from Kahuta. See Michael Krepon and Mishi Faruquee, eds., *Conflict Prevention and Confidence-Building Measures in South Asia: The 1990 Crisis*, Occasional Paper no. 17 (Washington, DC: The Henry L. Stimson Center, April 1994).
40. "Kashmir Issue May Draw a Summit Plea," *Los Angeles Times*, June 1, 1990.
41. See "The Prime Minister's Announcement of India's Three Underground Nuclear Tests on May 11, 1998," at www.fas.org/news/india/1998/05/vajpayee1198.htm; and "Press Conference (Dr. R. Chidambaram (RC), Chairman, AEC & Secretary, DAE; Dr. A. P. J. Abdul Kalam (K), Scientific Adviser to Raksha Mantri and Secretary, Department of Defence Research and Development; Dr. Anil Kakodkar, Director, BARC; Dr. K. Santhanam, Chief Advisor (Technologies), DRDO) May 17, 1998," at www.fas.org/news/india/1998/05/980500-conf.htm; and "Press Release on India's Nuclear Tests, May 11 and 13, 1998," at www.fas.org/news/india/1998/05/prmay1198.htm.
42. Reactor grade plutonium is typically 65–70% Pu-239, and has other isotopes that lower the explosive yield of the nuclear reaction. However, weapons using reactor grade plutonium have been successfully tested by the United States, and George Perkovich believes one of India's "low-yield" tests used non-weapons-grade plutonium. George Perkovich, *India's Nuclear Bomb* (Berkeley: University of California Press, 1999), pp. 428–29.
43. "Pakistan completes the current series of nuclear tests ... Foreign Secretary, Mr. Shamshad Ahmed's statement at the Press Conference in Islamabad on 30 May 1998," at www.fas.org/news/pakistan/1998/05/980530-gop.htm.
44. For a discussion, see Hilary Synnott, *The Causes and Consequences of South Asia's Nuclear Tests*, Adelphi Paper 332 (London: International Institute for Strategic Studies, 1999), pp. 54–56, and Ashley J. Tellis, *India's Emerging Nuclear Posture: Between Recessed Deterrent*

- and Ready Arsenal (Santa Monica, CA: RAND, 2001), pp. 519–22.
45. The stability–instability paradox was first identified by Glenn Snyder, “The Balance of Power and the Balance of Terror,” in Paul Seabury, ed., *The Balance of Power* (San Francisco: Chandler, 1964), pp. 184–201, and is discussed in Robert Jervis, *The Meaning of the Nuclear Revolution* (Ithaca, NY: Cornell University Press, 1989), pp. 19–22. See also Michael Krepon and Chris Gagne, eds., *The Stability–Instability Paradox: Nuclear Weapons and Brinkmanship in South Asia* (Washington, DC: Henry L. Stimson Center, June 2001).
 46. On February 10, 1999, Gen. Malik said “Having crossed the nuclear threshold does not mean that a conventional war is out.” John Cherian, “The Political and Diplomatic Background,” *Frontline* Vol. 16, No. 12 (June 5–18, 1999), www.the-hindu.com/frontline/fl1612/1612080.htm.
 47. *From Surprise to Reckoning: The Kargil Review Committee Report* (New Delhi: SAGE, December 15, 1999), pp. 197–99.
 48. Statement by General Musharraf dated April 12, 1999, cited in *From Surprise to Reckoning*, p. 242. See also his remarks to the Pakistan Military Academy in “Pak Defence Strong, Says Army Chief,” *The Independent*, April 19, 1999.
 49. Ashley J. Tellis, C. Christine Fair, and Jamison Jo Medby, *Conflict Under the Nuclear Umbrella: Indian and Pakistani Lessons from the Kargil Crisis*, MR-1450-USCA (Santa Monica: RAND, 2001); *From Surprise to Reckoning*; Major General Y. Bahl, *Kargil Blunder: Pakistan's Plight, India's Victory* (New Delhi: Manas, 2000); Praveen Swami, *The Kargil War* (New Delhi: LeftWord Press, rev. ed. 2000).
 50. Indian military plans, in fact, *always* viewed the option of infiltration or tribal and other paramilitary forces as equivalent to an invasion by Pakistani regulars. “In the event of such actions, Indian troops in Kashmir would seek to contain the opposing forces while the main Indian field army made a determined and rapid advance towards Lahore or Sialkot” – across the international border. Lorne Kavic, *India's Quest for Security: Defense Policies 1947–1965* (Berkeley: University of California Press, 1967), pp. 36–37.
 51. Vertical escalation refers to increasing the use of available military means in an effort to reverse the direction of a conflict. India did resort to some vertical escalation, particularly the commitment of Indian air force strike aircraft. However, it conspicuously limited these strikes, keeping them on the Indian side of the Line of Control and relying primarily on precision strikes rather than indiscriminate bombing of Pakistani positions. Horizontal escalation refers to broadening the geographic or geopolitical scope of the conflict, either by engaging new allies in the fighting or by opening new theaters of combat. India deliberately chose *not* to expand the geography of the conflict, either by strikes across the LoC or by attacks across the international border.
 52. See Bruce Riedel, *American Diplomacy and the 1999 Kargil Summit at Blair House*, Policy Paper Series 2002 (Philadelphia, PA: Center for the Advanced Study of India, 2002), for reports that Pakistan prepared “nuclear tipped missiles”; and Chengappa, *Weapons of Peace*, 437 for reports that India placed its nuclear arsenal at “Readiness State 3” – ready to be mated with Prithvi and Agni missiles and Mirage 2000 aircraft for delivery.
 53. See the Draft Nuclear Doctrine, August 17, 1999, at www.indianembassy.org/policy/CTBT/nuclear_doctrine_aug_17_1999.html.
 54. “Fernandes Unveils ‘Limited War’ Doctrine,” *The Hindu*, January 25, 2000; “When Words Hurt: No Limits on a ‘Limited War,’” *Asiaweek* Vol. 26, No. 12, March 31, 2000.
 55. Hoyt, “Pakistani Nuclear Doctrine,” pp. 964–66.
 56. “Nothing Called Limited War: Sattar,” *Times of India*, May 2, 2000.
 57. “‘Great Danger’ of War with India: Sattar,” *Times of India*, March 14, 2000.
 58. See Ganguly, *Conflict Unending*, pp. 135–38; Weaver, *Pakistan*, pp. 40–42.
 59. “Pak Would Be Wiped Out If It Uses Nuclear Bomb: BJP,” *Hindustan Times*, December 26, 2001.
 60. “Military Option if Diplomacy Fails,” *The Hindu*, January 4, 2002.
 61. “Army Ready for War, Says Chief,” *The Statesman* (India), January 12, 2002. According to reports, the General remarked that if Pakistan used nuclear weapons against Indian soldiers on the battlefield, “the continuation of the existence of Pakistan as a nation would be in doubt.”

62. “India Tests Missile, Stirring a Region Already on Edge,” *The New York Times*, January 25, 2002.
63. An interesting study of this is Gaurav Kampani, “Placing the Indo-Pakistani Standoff in Perspective,” available at cns.miis.edu/pubs/reports/pdfs/indopak.pdf.
64. “India Builds Up Forces as Bush Urges Calm,” *New York Times*, December 30, 2001. This report cites Pakistani intelligence officials as having identified 23 Indian divisions on the border, in addition to 600 aircraft. India moved troops from the border with China (III Corps) as well.
65. “India Fully Prepared to Meet Exigencies, Says Jaswant,” *The Hindu*, December 24, 2001.
66. “India’s Landmines: A Bitter Harvest for Farmers,” *New York Times*, January 4, 2002.
67. “A Unique Army Exercise,” *The Hindu*, December 30, 2001. An earlier exercise in May 2001 had tested similar capabilities. See “Heat and Dust: Exercise Poorna Vijay,” *Strategic Affairs* (September 1, 2001).
68. “Missiles of Military Diplomacy,” *Telegraph (India)*, December 27, 2001.
69. Rahul Bedi, “A Strike Staunched,” *Frontline* Vol. 19, No. 12 (June 8–21, 2002).
70. One estimate suggests that the cost for Pakistan was as great as 30% of its annual budget. See Jasjit Singh, “December 13: A Year After,” *Indian Express*, December 16, 2002. Indian costs were reported as 70 million rupees per day – roughly \$750 million for ten months. See “Border Stand-Off Cost India RS 7-Cr A Day,” *Hindustan Times*, October 19, 2002, and Rajesh Basrur, “Coercive Diplomacy in A Nuclear Environment: The December 13 Crisis” (manuscript in author’s possession), p. 13 n. 85.
71. “Pakistan’s Arrest of Militant is ‘Step Forward,’ India Says,” *New York Times*, January 1, 2002.
72. “India’s Leader Continues Accusing Pakistan of Terror,” *New York Times*, December 30, 2001.
73. Even after the summer crisis, President Musharraf admitted that militants continued to enter Kashmir from Pakistani territory. “Militants Still Entering India, Says Musharraf,” *London Daily Telegraph*, August 21, 2002.
74. Rahul Bedi, “The Military Dynamics,” *Frontline* Vol. 19, No. 12 (June 8–21, 2002).
75. “Pakistan Won’t Rule Out Use of Nuclear Arms if Attacked,” *Media Corporation of Singapore Pte Ltd. (Channel News Asia)*, May 29, 2002 (accessed through Lexis-Nexis).
76. “At UN, Pakistan Defends First-Strike Nuclear Policy,” *Agence France Presse*, May 29, 2002.
77. “Pakistan Asks U.N. Council For Action On Kashmir,” *New York Times*, May 30, 2002.
78. “Transcript: Powell Warns Against Military Action By India, Pakistan,” May 31, 2002, at usembassy.state.gov/islamabad/wwwhindopak02053104.html; and “Chambers Flay US Decision to Evacuate Citizens,” *Financial Express*, May 31, 2002.
79. Seymour Hersh, “Watching the Warheads: The Risks to Pakistan’s Nuclear Arsenal,” *The New Yorker*, November 5, 2001, available at www.newyorker.com/fact/content/?011105fa FACT.
80. Bob Woodward, *Bush at War* (New York: Simon & Schuster, 2002), p. 303.
81. See, e.g., W. Lawrence Prabhakar and Gopalji Malviya, “The Morning After,” *Indian Express*, June 9, 2002, which argues that “South Asia’s doomsday however can be prevented and should be averted with the timely and decisive US action that should invoke its well decided contingency plan ... to disarm the nukes and target the storage facilities.” The fact that at the height of the crisis, the US chose to recommend the evacuation of US citizens rather than “invoke” a preemptive strike should suggest the unreliability of this option.
82. “A US Concern: Pakistani’s [sic] Arsenal,” *Boston Globe*, August 16, 2002.
83. See Husain Haqqani, “Pakistan’s Endgame in Kashmir”; and Amitabh Mattoo, “India’s ‘Potential’ Endgame in Kashmir.”
84. See Jonah Blank, “Kashmir: All Tactics, No Strategy”; and Praveen Swami, “Terrorism in Jammu and Kashmir in Theory and Practice.”
85. See Carole McGranahan, “Kashmir and Tibet: Comparing Conflicts, States, and Solutions”; and Devin T. Hagerty, “US Policy and the Kashmir Dispute: Prospects for Resolution.”

86. India finally created a Nuclear Command Authority in January 2003, four and a half years after its nuclear tests. "Nuclear Command Authority Comes Into Being," *The Hindu*, January 5, 2003. According to another report, the announcement of the Nuclear Command Authority was the result of India's failure to compel Pakistan to back down in 2002 due to both conventional and nuclear weakness. "N-Option Seeks to Allay Army's Fears," *Times of India*, January 6, 2003.
87. For example, prominent Indian elites have suggested that the "No First Use" policy be revisited in response to the recent crises. "Ex-Army Chief Critical of Defence Strategy," *The Hindu*, January 24, 2003.
88. The surprising admissions of Indian military leaders, particularly in the army, undercut the efforts of the Indian political leadership to portray (and take advantage) of a condition of escalation dominance. According to defense sources, the Indian conventional combat ratio advantage declined from 1.75:1 in 1971, to 1.56:1 in 1990, and is now only 1.22:1. "Army Seeks Swift Modernisation to Counter Pak," *Times of India*, April 3, 2003.
89. See, e.g., "US Refusal to Admit Iraq-Pak Similarities Unacceptable," *Times of India*, April 14, 2003. *The National Security Strategy of the United States of America* (September 2002), which clearly states that the US government will not shrink from preemptive or preventive war if vital interests are at stake, can be found at www.whitehouse.gov/nsc/nss.pdf.
90. A change in Indian nuclear policy could also *exacerbate* the strain on defense resources, if it is not met with sufficient increases in the defense budget. Like the US in the 1950s, India could be forced to prioritize between nuclear and conventional modernization.
91. These were, unofficially, outlined by General Kidwai, commander of the Strategic Plans Division, in "Nuclear Safety, Nuclear Stability and Nuclear Strategy in Pakistan," *A Concise Report of a Visit by Landau Network - Centro Volta* (January 2002) available at lxmi.mi.infn.it/~landnet/. The lead investigators on this project were Professor Paolo Cotta-Ramuson and Professor Maurizio Martellini.
92. "NCA to Decide on Use of N-Weapons," *DAWN*, January 7, 2003. This report emphasizes that Pakistan continues to rely on minimal nuclear deterrence.
93. This point is drawn out in detail in Michael Ryan Kraig, "The Political and Strategic Imperatives of Nuclear Deterrence in South Asia," *India Review* Vol. 2, No. 1 (January 2003) pp. 35-38.
94. For an interesting perspective on the differences between Sino-Indian and Indo-Pakistani deterrence, see Kraig, "The Political and Strategic Imperatives of Nuclear Deterrence in South Asia."
95. See, for instance, the comments of Indian President A. P. J. Abdul Kalam. "The assurance given by Pakistan on the issue of cross-border terrorism remains unfulfilled," Kalam said. "Infrastructure of terrorist groups remains intact in Pakistan." AFP - Feb 17, 2003 "Pakistan Reneging on Pledges to End 'Terror': Indian President," sg.news.yahoo.com/030217/1/37vqn.html; and "Army Bracing for Spurt in Infiltration," *Times of India*, April 14, 2003.
96. For an extreme piece of nuclear rhetoric, see the statement of Minister of Defense George Fernandes: "Pakistan's leadership should not toy with the idea of using nuclear weapons against India. We can take a nuclear bomb or two but if we retaliate, Pakistan will be completely wiped out." "One Bomb From Us Can Destroy Pak: Fernandes," *Times of India*, January 8, 2003. India expelled five Pakistani diplomats for providing funds to a Kashmiri insurgent group in early February, 2003, and Pakistan expelled Indian Embassy staff in retaliation. Press Trust of India, "India, Pak Grant Visas to New Dy High Commissioners," February 18, 2003.

Kashmir and Tibet: Comparing Conflicts, States, and Solutions

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The Kashmir and Tibet conflicts have long been treated as separate and incommensurate struggles. While they are certainly not equivalent in many important respects, there are also convergences between them that warrant our further consideration in thinking about possible solutions for these two conflicts. Thus, while the core issues, the parties to and histories of the conflict, and the character of military engagement differ between Kashmir and Tibet, they also have similarities in terms of the ethnicized aspects of the conflicts, state naturalization of territory-based national identities, and state-established structures for autonomy in both regions. In addition, following the 1951 conversion of the Kashmir-Tibet border to the India-China border, boundary disputes between India and the People's Republic of China (PRC) have been almost constant. Combined with the continued complications of India-Pakistan-China relations, these border tensions have led some observers to suggest that Tibet and Kashmir "cannot be taken as separate theaters of policy."¹ While internationally China and India support one another on issues of human rights and separatism,² they bilaterally operate with a more complicated set of responses to the Kashmir and Tibet issues. This article considers the Kashmir and Tibet conflicts from anthropological and political standpoints on collective rights, national identity, and state sovereignty.

What political recourses exist for Tibetans or citizens of Jammu and Kashmir in today's world? As citizens of differently organized states and subject to dissimilar conflicts, what methods and types of conflict resolution might they have shared access to? Both of these post-WWII conflicts have been framed and defined by the two core states involved - India and China - and thus the approach I take toward answering these questions is a merger of political scholarship on conflict, human rights, and state sovereignty with that on the anthropology of the state. Thinking anthropologically about the state enables access to everyday practices of disciplinary and discursive power that both provide and

constrain the options available to ordinary Tibetans and Kashmiris in managing state-level conflict. Combining anthropology and political science in this way also helps us in thinking through the hegemonic sanctity of state borders and communal belonging so prevalent in the modern state and manifest in both the Kashmir and Tibet conflicts.

There are three primary, interrelated arguments in this article: (1) both the Kashmir and Tibet conflicts have been subject to the changing tides of international politics – be they decolonization in the 1950s or the war on terror in the 2000s – and as a result the interests of the peoples of these regions have been disenfranchised vis-à-vis the respective power and clout of India and China; (2) the internal and international aspects of the Kashmir and Tibet conflicts must be analyzed and addressed not in isolated terms, but in critical dialogue with shifts in the global order of things; and (3) the peoples of Kashmir and Tibet must be recognized as key parties to the peaceful settlement of these conflicts, such that their collective rights are not consistently trumped by claims of state sovereignty. In this article, these arguments lead to a discussion of four possible outcomes for each conflict: maintain the status quo, more autonomy, accession to a different state, and independence; and seven possible methods of conflict resolution: unilateral state decision, domestic negotiations, bilateral/multilateral negotiations, international mediation, international intervention, military battle, and plebiscite/referendum. The article concludes that while increased autonomy is perhaps the most realistic goal for Kashmiris and Tibetans – and is the primary goal of some groups in Kashmir as well as the Dalai Lama's Tibetan government-in-exile – other outcomes must also be considered in the realm of the possible. Key to opening up any of these possibilities is a recognition of the magical powers of the state in conjuring domestic and international support for sometimes suspect sovereignty, and in cultivating consent as freely given in places where the state itself has sown the seeds of dissent.

A History of the Present: The War on Terror in Kashmir and Tibet

On January 26, 2003, twenty-eight-year-old Tibetan Lobsang Dhondup was executed in China for "crimes of terror."³ Charged with "inciting the split of the country, scheming explosions, and unlawfully possessing firearms and ammunition," Lobsang Dhondup was denied

access to lawyers and to an open trial despite international *and* domestic outcry over both his case and that of his co-defendant, Tenzin Delek Rimpoche, a respected Buddhist lama. Unlike Lobsang Dhondup, Tenzin Delek Rimpoche's execution sentence was suspended for two years, and his appeal was rejected. Reasonable doubt exists with regard to the fairness of their trials, as well as to any actual connections to the crimes with which they were charged.⁴ No doubt, however, exists in the connection between their sentencing and Lobsang Dhondup's execution – the first Tibetan to be executed for political crimes in over a decade – and China's use of the US-led global war on terrorism as "a pretext for increased repression."⁵ While China incorporated terrorism laws into its criminal law in 1997 following bombings in Tibet and Xinjiang, as in many other countries, PRC use of terrorism rhetoric has skyrocketed since September 11.⁶

Immediately following the September 11 terrorist attacks on the United States, the PRC upped the ante in its dealings with the US, declaring that it would help in the war on terrorism if the United States helped China in its fight against "terrorism and separatism" in Xinjiang and Tibet. One month later, on October 11, 2001, the PRC officially linked Uighur Xinjiang groups to the war on terror, and gave the Tibetans "separatist" and "splittist" status (although Amnesty International contends that "Chinese authorities do not distinguish between 'terrorism' and 'separatism'").⁷ Bombing, however, always counts as "terrorism" in China, and since at least 1996 over a dozen bombs designed to effect property damage (mostly in government offices) have exploded in Tibetan areas. According to official sources, 5% of prisoners in Tibet are jailed for "espionage, subversion, and terrorism."⁸ While widespread Tibetan adherence to the Dalai Lama's policy of nonviolence makes it difficult to assert that Tibetans are conducting terrorist activities within China,⁹ the situation in Xinjiang is different. Nonetheless, Xinjiang is helpful in thinking about connections between Tibet and Kashmir because of the increased global salience, and thus state use, of the "terrorist" label.¹⁰

Thirty-six groups are on the US State Department's list of foreign terrorist organizations, including the East Turkestan Islamic Movement (ETIM), a Muslim group based in Xinjiang. Added to the US list on September 3, 2002, and to the United Nations list of terrorist groups on September 11, 2002, ETIM is charged with being associated with al-Qaeda, Osama bin Laden, and the Taliban, as well as with

terrorist activities in China.¹¹ International human rights groups such as Amnesty International and Human Rights Watch express skepticism at these charges and concern over the precedent set for further Chinese action against Uighur nationalist groups in Xinjiang, most of which advocate peaceful means of dissent. Thus, while the majority of Uighur groups are not militant, and not connected to foreign militant groups, the fact that they are Muslim allows for such suppositions and conjectures to be offered, at times as fact. While similar discursive and political arguments are made in Kashmir with regard to Kashmiri Muslim separatists, Tibet obviously presents a different picture. However, the recent execution of Lobsang Dhondup five weeks after Lorne Craner, the US Assistant Secretary of State for Democracy and Human Rights, discussed his case with Chinese officials in Beijing signifies a shift in how "terror" will be used as a disciplinary tool against Tibetans.

In addition to terror, one irrevocable connection of Tibet and Xinjiang to Kashmir is a road, although this is not a road *to* Kashmir, but a road *through* Kashmir. This is the road the Chinese built during 1957–58 in the Aksai Chin region of Ladakh, in what the government of India considers to be Indian territory. As numerous observers have commented, this road links China to central and western Asia, and is a key component of Chinese border-securing strategy (as is the currently in-progress construction of a railroad from Qinghai province south to Lhasa). While China's earlier close relations to Pakistan are currently diluted somewhat via sporadic, but ongoing PRC talks with India, there is the paradox that ETIM's terrorist listing enters it into the ranks of organizations such as Lashkar-e-Tayyiba and Harakat-ul-Mujahidin, which are active in Kashmir, and hosted by, if not directly supported by, Pakistan. Securing the border and state sovereignty via territorial integrity remains a key goal for India as well. Indian Defense Minister George Fernandes suggests that Chinese support for Pakistan cannot be delinked from Pakistani state-sponsored terrorism in Kashmir and elsewhere.¹² September 11 has changed some of the rules of state security, and the ensuing surge of power to states has resulted in a global weakening of individual and cultural rights.

The execution of Lobsang Dhondup was followed by Tibetan protests around the world. In New Delhi, thirty-three Tibetans were arrested on January 31, 2003, for protesting in front of the Chinese embassy.¹³ At the Chanakyapuri police station, the detained Tibetans,

twenty-five men and eight women (including two women over the age of sixty), began a hunger strike that they continued in the Tihar jail until their court date two weeks later. While the tenuous liberties of Tibetans in South Asia – where no country has signed on to any of the UN protocols on refugees – are better in India than they are in Nepal, the post-9/11 period has had serious ramifications for these communities vis-à-vis the generosity of their hosts. Tibetans in India have faced increasing governmental pressure within India to temper anti-Chinese sentiment during recent state visits such as that of Chinese Premier Zhu Rongji in January 2002, and in Nepal even celebrating the Dalai Lama's birthday has been suppressed. Such silencing is a part of the political analogies that can be drawn between Tibet and Kashmir including campaigns for autonomy and independence, historically argued grievances, population displacement, and so on. At present, however, the two cases are separated by the mass horrors of on-again, off-again war in Kashmir in recent years.

As Sumit Ganguly has convincingly shown, in its original conception, Indian and Pakistani state conflict in Kashmir is not based solely on a territorial dispute, but also in structural differences in terms of how each exists as a *nation-state*: India's civic nationalism versus Pakistan's religious nationalism.¹⁴ To add China into the mix complicates things further, for the PRC is best understood as a *party-state*, not just a nation-state.¹⁵ Yet what do these distinctions mean for the people who must live the conflicts in Kashmir and Tibet everyday? As global shifts are reinterpreted on the ground, new strategies with new languages are deployed; both Tibetans and Kashmiris have at times used the label of "terrorist" for the central state governments or government-supported troops at work in their lands. While the Tibetans learned both the power and the capriciousness of US support during the 1950s and 1960s, they nonetheless continue to rely on the United States for defense in their struggle vis-à-vis China. In Kashmir, the US role has been very different, yet it is one that is perhaps poised to increase given the new US interest in the region. As American foreign policy is increasingly animated with new concerns over Muslim political groups and with the politics of both oil and revenge, this particular corner of Asia with its conflicts and communities, roads and railways, will come under increasing international scrutiny.

The Anthropology of the State: Analytical Orientations

"If the state as an actual social form is not universal, [then] the desire of stateness has become a truly global and universal phenomenon," write anthropologists Thomas Blom Hansen and Finn Stepputat.¹⁶ This desire breeds problems for the state as the sole legitimate "regulator of social life and ... locus of territorial sovereignty and cultural legitimacy"; and, in addition to demands on states by separatist movements, migrants, and refugees, the intensified globalization of capital and communication systems place further challenges and stresses on states.¹⁷ Such problems are the stuff of anthropology - sociopolitical organization, symbolic forms, cultural and political economy, systems of authority, identification, and representation, and, of course, ground-level ethnographic analyses.¹⁸ The study of the state, however, is something mostly new within cultural anthropology. As anthropologists increasingly turn their ethnographic eye to the state as a cultural form in its own right,¹⁹ focusing on such varied topics as the link between nation and state, cultures of bureaucracy, disciplinary and governmental practices, discourses of rule and belonging, conflict and resistance, and everyday practices, the case for considering culture and state within the same analytical frame is strengthened.²⁰

As both internal and international conflicts, Kashmir and Tibet are struggles over the state and over domains the modern state claims as its own: culture, political possibility, public authority, social life, and subjectivity (or sociopolitical identity). While the liberal, democratic state establishes current norms for the "modern" state, nonliberal states such as the People's Republic of China are no less modern and are often similarly organized around principles of sovereignty, hegemony, and biopower.²¹ Comparing Kashmir and Tibet, therefore, necessarily involves a politicized approach to the state in its singular and plural forms, including complicating biographies of the state and of historiographies of the region.²² Located respectively on the frontiers of India and China, Kashmir and Tibet call into question the boundaries of their respective states in both literal and metaphorical terms.

One modern fiction of states is that their borders are permanent, cemented into place over years of existence. Converted into a story about political community and identity, state borders become powerful metaphors for the status of the nation. As such, potential changes to state borders (specifically contractions) are often presented

as threats to national community, sapping the people as well as the state of energy, power, and heritage. From an anthropological perspective, the permanence associated with state boundaries affects state efforts in shaping subjectivities as follows:

1. by generating the need to "unify ethnically mixed and territorially dispersed populations" through centralized systems of discipline, education, and governance;
2. by paradoxically creating "mixed loyalties" among some citizens who feel dislocated from "the place and peoples with whom they primarily identify";
3. by creating exclusionary categories (e.g., minorities, refugees, aliens) liable to categorization as internal or external enemies of the state; and
4. by reinforcing links between territory, collective identity, and state desire, such that a primary option for dissent is the advocacy of a separate state.²³

Anthropologically, of interest here are not just these practices and processes, but also their effects in isolating, identifying, and spatializing specific subjectivities in ways newly legible to the population.²⁴ Theoretically, anthropologies of the state draw heavily on the work of three thinkers: Benedict Anderson in terms of imagined communities and national myths of belonging;²⁵ Michel Foucault's insights on biopower, governmentality, and knowledge practices;²⁶ and Antonio Gramsci with regard to the idea of consent and control via powerful yet fragile hegemonies.²⁷ Complementary to anthropology's emphasis on detailed ethnographic understandings of states vis-à-vis their populations, political scientists have emphasized the need for constructivist models of state expansion and contraction.

In *Unsettled States, Disputed Lands*, Ian S. Lustick highlights the "spatial malleability" of states, demonstrating how even state borders that appear stable are in fact "products of war and other processes of territorial aggrandizement, contraction, or consolidation, ... contingent on as well as constitutive of political, technological, economic, cultural, and social processes."²⁸ As new territories are institutionalized within old states, these incorporative processes are drained of meaning via hegemonic state discourses which establish their incorporation as natural and normal.²⁹ Once popular sentiment accepts the state's territorial

composition as a given, then the difficulties of state contraction increase. Lustick's analytical model for state contraction and expansion centers on two thresholds spanning three stages of political conflict – incumbency, regime integrity, and ideological hegemony.³⁰ These three stages are understood as cumulative with regard to the incorporation or elimination of a territory as follows: (1) the incumbency stage involves a “cost-benefit, allocative policy problem,” (2) the regime integrity stage moves to a questioning of the legal structure of the state, and (3) the ideological hegemony stage in which a discourse is produced that legitimates the maximal institutionalization of the territory in question as an inviolable part of the state, or, in the case of contraction, opens a new discursive space for considering the loss of territory as a positive or at least neutral proposition.³¹

Both state expansion and contraction involve transitions at either (or at both) the regime integrity and the ideological hegemony thresholds. Lustick's model of state change is based on an understanding of state boundaries as impermanent (*contra* Max Weber's classic definition of the territorially bound state as “a human community that successfully claims the monopoly of the legitimate use of physical force with a given territory”).³² The cases of Kashmir and Tibet include elements of both state expansion and contraction with respective regard to India and China. In the case of Kashmir, there is Kashmir's initial accession to India in 1947, the loss of territory to Pakistan and China in the 1960s, and current calls by some groups for an independent Kashmiri state. Tibet's 1951 incorporation into China was soon followed by Tibetan movements for independence from China that continue in various forms to this day. According to the model outlined by Lustick, Kashmir and Tibet are both issues of potential state contraction considered by the governments of India and China, and by the general populations of those states, as an unwelcome threat. Yet these conflicts are at different stages with regard to state and population – Kashmir in the “regime integrity” stage, as various governments, community groups, and political parties seek a diverse, at times violent, and at times creative, array of answers to the problem, and Tibet in the “ideological hegemony” stage in that the single-party Chinese communist government in place since 1949 has successfully cultivated a view of Tibet as integral to state identity among the majority Han population.³³

Assessing the differences and similarities between the Kashmir and Tibet conflicts requires a flexible analytical model. Toward this end, I

draw on both the anthropological literature on the ethnographic strategies of the state and the political science literature on state constructedness. Whether the state is considered inadequate, indispensable, or both,³⁴ it is undeniable that for all peoples around the world the state is now a key part of not just modern life, but everyday life. This study, therefore, seeks to bring together the local and the national, the ethnographic and the political, and the vernacular with the formal in terms of understanding and analyzing the Kashmir and Tibet conflicts as internal and international challenges to the state. While anthropology is neither a predictive nor a prescriptive discipline, my goal here is to insist on the need for ethnographic perspectives in thinking critically about possible political solutions for the ongoing tensions in Kashmir and Tibet.

State Sovereignty in the Tibet and Kashmir Conflicts

The empires of Kipling's day haunt the present-day territories of Kashmir and Tibet. The boundaries and the political statuses of these lands and the peoples who live in them were determined in part, if not primarily, through colonial politics and statemaking practices. In the case of Kashmir, the orders were settled through a combination of imperial statemaking under the Raj and partition statemaking in 1947, and in the case of Tibet, the People's Republic of China unilaterally settled Tibet's boundaries after almost four decades of negotiations between Republican China, Tibet, and British India.³⁵ For both of these formerly independent territories, incorporation into a larger polity included important issues about sovereignty. For Kashmir, an already contested monarchial-led multi-ethnic sovereignty became an issue of Indian state sovereignty, and, for Tibet, the singular sovereignty of the Tibetan state was dissolved at the hands of the PRC. In the present, therefore, the government of India considers Kashmir to be an internal dispute, and the People's Republic of China considers Tibet to be an internal affair. Neither government desires the wholesale transformation of the internal into the *international*, as these two levels entail different questions about the sovereignty of the state.

State sovereignty, however, is not absolute. Instead, it is better thought of as a “political contract rather than a natural right.”³⁶ In the case of both Kashmir and Tibet, the central state relies on a singular document to serve as this political contract. For Kashmir, this is the 1947 Instrument of Accession signed by Maharajah Hari Singh with the

provide such critical readings for Kashmir, for comparative purposes, I will now present a brief history of the Tibetan conflict with China.

The Tibet-China Conflict

In 1949, Chinese People's Liberation Army (PLA) troops arrived in eastern and northeastern Tibet, and in 1950 they crossed the Dri Chu (Yangtze River) into what is now known as the Tibet Autonomous Region (TAR).⁴² Their goal was to "liberate" Tibet, in a simultaneous effort to release Tibetans from the bonds of feudalism and to welcome them (back) into the Chinese family of nationalities. After several months of sporadic fighting with Tibetan government troops, the PLA attacked Chamdo, the regional administrative seat. On October 19, 1950, the new Governor of Chamdo, Ngabo Ngawang Jigme, surrendered to the Chinese. In Lhasa, confusion reigned among government officials regarding how to respond. In time, the two state oracles pronounced that the then-sixteen-year-old Dalai Lama should assume the political and religious authority that under normal circumstances he would assume at the age of eighteen. The ruling regent, the Kashag cabinet, and the Tibetan National Assembly accepted this pronouncement, and on November 17, 1950, the fourteenth Dalai Lama became the spiritual and temporal head of the Tibetan state. In the month that followed, two important decisions were made: first, to appeal to the United Nations for help, and, second, that the Dalai Lama should leave Lhasa for safety reasons. On December 16, he left for a town on the Tibetan-Indian border to wait out the deteriorating situation. In the meantime, Tibetan appeals to the United Nations were unsuccessful, and negotiations with China began.

A Tibetan delegation headed by Governor Ngabo was dispatched to Beijing for negotiations. Ngabo was armed with a list of Tibetan proposals and instructions to contact the Dalai Lama and Kashag for instructions on negotiating. After a month of meetings and arguments, the "Agreement of the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet," commonly known as the "Seventeen-Point Agreement," was signed by both parties on May 23, 1951. Ngabo, however, had not sent the terms of the agreement to the Dalai Lama and the Kashag for approval before signing. Although the Tibetan government felt that the agreement was signed "under duress," they ultimately decided not to renounce the agreement for a number of reasons, including their

inability to secure the international support necessary for diplomatic or military defense versus the PRC and PLA.⁴³ On July 23, 1951, the Dalai Lama began his return journey to Lhasa from the Tibetan border.

Periods of tenuous calm mixed with upheaval and resistance marked the next eight years. Omnipresent Chinese Communist Party (CCP) and People's Liberation Army members instituted sweeping changes throughout Tibet. After several years, resistance to these changes began, resulting in the creation of a volunteer army that waged war against the PLA through 1974 in part through the financial support and military training of the US Central Intelligence Agency.⁴⁴ Conditions varied throughout Tibet, both Lhasa and areas outside the capital, as well as between areas in and out of "Tibet." Following "liberation," the PRC government claimed certain Tibetan territories to fall within the boundaries of the Chinese provinces of Gansu, Qinghai, Sichuan, Xikang, and Yunnan, while other areas were considered "Tibet," and officially designated the "Tibet Autonomous Region" in 1965.⁴⁵ Despite the current fragmentation of Tibet, the Tibetan government-in-exile consistently expresses its desire to reunite all Tibetans under China, either through an enlarged Tibet Autonomous Region, or through a Tibet politically distinct in some manner from China.

In March 1959, the Dalai Lama fled Lhasa as political restrictions and oppression grew, traveling three weeks on horseback to the Tibet-India border, where he was welcomed into India and granted refuge. Over the course of the next year, tens of thousands of Tibetans followed him – aristocrats and peasants, rich and poor, monks and laymen, and whole families from villages and towns around Tibet. Soon after arrival in India, the Dalai Lama repudiated the Seventeen-Point Agreement, and reconstituted the Tibetan government. Led by the Dalai Lama from its current headquarters in Dharamsala, Himachal Pradesh, the Tibetan government-in-exile continues its efforts to resolve the Tibetan conflict with China. Since the early 1950s, the Tibetans have both appealed for and received international aid for their political efforts.⁴⁶ While the diplomatic, financial, and military aid the Tibetans received was not enough to defeat the Chinese at the United Nations or on the battlefield, it did signal the beginning of the international support network that plays an important role in the Tibet-China conflict.

Internationally, the United Nations Tibet campaign that faltered in 1950 became a tentative reality in 1959. With behind-the-scenes

encouragement from the US, Ireland and Malaya requested that the issue of Tibet be discussed by the General Assembly. Eventually, under the stewardship of these two countries, a resolution condemning China for human rights violations in Tibet was passed.⁴⁷ Two years later, in 1961, a second and stronger resolution sponsored by Malaya and Thailand, with support from El Salvador and Ireland, was passed by the General Assembly. Although this second resolution added language regarding self-determination to that of human rights, a third resolution in 1965 deleted the self-determination reference in favor of language referencing "human rights and fundamental freedoms." Since 1965, the UN General Assembly has not issued any further resolutions regarding Tibet. In the 1970s, the Dalai Lama began to travel to the West, and thus began a new strategy of personal visits and appeals to governments and the general public for support. In the last twenty-five years, the Dalai Lama has met with heads of state, addressed parliamentary and legislative bodies, and discussed Tibet with public audiences in countries on all continents. In addition, the Tibetan government-in-exile has established offices in thirteen countries around the world, including the cities of Washington DC and Geneva.⁴⁸

Following the departure of the Dalai Lama in 1959, conditions within Tibet deteriorated. As in the rest of China, the Great Leap Forward and the 1960s in general were a period of great distress and widespread famine in Tibet. Tibetan party members who held – and continue to hold – no real power, with assistance from Chinese counterparts, filled the political vacuum left by the wholesale exodus of the Tibetan government.⁴⁹ Current Tibetan political bodies, such as the regional People's Congress and regional Communist Party, and disciplinary institutions, such as the People's Armed Police, the Public Security Bureau, and the PLA, are not "autonomous" of Beijing and are instead commanded by central state political and military organizations.

The advent of the Cultural Revolution made the already desperate situation in Tibet even grimmer. The late 1970s and early 1980s were the high point of relations between Beijing and Dharamsala. Led by Deng Xiaoping, the new Chinese leadership decided to offer a sort of olive branch to the Tibetan people and the Dalai Lama. The olive branch took the form of the possibility of discussions on all Tibetan concerns save independence, and the invitation of Tibetan delegations from the Dalai Lama to visit Tibet and witness the good work of the

Chinese in Tibet. Three delegations visited Tibet in 1979 and 1980, each receiving not the lukewarm or even antagonistic reception from the Tibetan people that the Chinese had anticipated, but overwhelming and emotional support from the people. A fourth delegation was cancelled by the Chinese, and since then no further Tibetan delegations have been invited to Tibet. Both prior to and since then, contact between the PRC and exile Tibetans has been through Gyalo Thondup, in his personal capacity as the Dalai Lama's brother, rather than as a representative of the Tibetan government-in-exile.

Currently, this conflict is at one of the lowest points since the Cultural Revolution. As the Dalai Lama's international status grew in the 1980s and 1990s, the Chinese grew increasingly hardline on the Tibet issue. Recent campaigns in the PRC, such as the Strike Hard campaign, have been particularly harsh in Tibet. International attention to human rights in Tibet, and especially to the situation of political prisoners, has increased in the last decade such that the PRC has now institutionalized a concern for human rights (*contra* to its persistent earlier claim that internationally sanctioned human rights were in fact Western interpretations not applicable in China).⁵⁰

The United Nations has yet to return to the Tibet issue, and the PRC now holds a seat on the Security Council, ensuring a very low probability of Tibet appearing on the General Assembly agenda. The parliamentary and legislative bodies of many countries, however, have passed resolutions dealing with Tibet.⁵¹ While no state has recognized the Tibetan government-in-exile, the recent willingness of numerous state heads to meet with the Dalai Lama – albeit as a religious, rather than political, leader – has simultaneously given the Tibetan people hope and raised the ire of the Chinese government. Additionally, in 1997, the US government created the position of the Special Coordinator for Tibetan Affairs in the Department of State.

The greatest chance for change in Tibet, however, might lie in interaction between the Tibetans and Chinese, or within China itself. While speculations circulate that economic opening in eastern China will eventually translate into social and political change with important reverberations in and for Tibet, or that the Chinese leadership (itself a shifting group) is avoiding addressing the issue of Tibet because they are waiting for the passing of the fourteenth Dalai Lama, such that there is no longer a Tibetan figure that garners such indivisible Tibetan support and international respect, other avenues new and old also exist.

Informal meetings between exile Tibetans and dissident Chinese began in the early 1990s and continue to provide some hope for a conceptually as well as practically amenable future solution in a politically changed China.⁵² In September 2002, a Tibetan exile delegation returned to China for the first time in twenty years. While results from that visit appear mixed – e.g., the release of two important political prisoners, Takna Jigme Sangpo and Ngawang Sangdrol,⁵³ but the execution of Lobsang Dhondup – a second negotiating mission is said to be preparing to return to Beijing. At present, the Tibetan government-in-exile seeks reconciliation with the Chinese, seeking autonomy within the PRC rather than the reconstitution of the sovereign state of Tibet.

Sovereignty and Subjectivity

State shaping of subjectivities is directly related to issues of sovereignty. As outlined earlier, four effects of this relationship are the generation of a unified population, the creating of mixed loyalties, the forging of exclusionary categories, and the reinforcing of dissent as state-defined desire.⁵⁴ These processes provide an empirical and analytical base for comparing the situations in Tibet and Kashmir, and for thinking about aspects of the modern state system that cut across ideological difference. For example, a unified population, regardless of ethnic, religious, or other forms of difference, is a key feature of the modern, centralized state. In the PRC, this unification is achieved via Leninist models of state-socialist unity, while in India the foundational concept of secular federalism establishes and legitimates the state project of unity in diversity.

Mixed loyalties are central to both conflicts. In Tibet, the 1959 exile of the Dalai Lama created a massive rift between the Chinese state and the Tibetan people. Tibetan sentiment towards the Dalai Lama remains strong, despite ongoing Chinese campaigns to discredit him, such that Tibetans remain some of the least convinced subjects of Chinese unification efforts. Mixed loyalties are also found in Kashmir, where numerous groups make claims on or against the state. Political and territorial fragmentation in Kashmir is accompanied (as in Tibet) by an incomplete system of autonomy. In 1952, the Kashmir government and the government of India signed the "Delhi Agreement," which legislated a generous degree of autonomy for Jammu and Kashmir. Under this agreement, the central government would control defense,

foreign affairs, and communications, while all other affairs would be under the rule of the Kashmir state government. Over the ensuing years, this agreement was diluted through a variety of legal, political, and economic measures.⁵⁵ In addition, periods of war and the political dominance of the National Conference party and the family of Sheikh Mohammed Abdullah have compounded problems in achieving autonomy, thus generating public dissatisfaction.

Categories of exclusion abound in the modern Chinese and Indian states. Even when presented or governed as neutral classifications of people, categories of exclusion are always available for representation or for use as enemies of the state. Tibetans in China are classified as the Tibetan *minzu*, or one of fifty-odd non-Han nationalities. Based on Marxist-Leninist social evolutionary rankings, the Chinese state interpretation of nationality sets Han Chinese as the default category such that other groups are not just socially distinct, but temporally different via their evolutionarily backward status.⁵⁶ In this formulation, difference always holds the potential for danger, as consistently shown in state rhetoric toward Tibet and Tibetans. While also a multiethnic state, the situation in India is different as a result of categorization systems both derived from and designed to move beyond the Hindu caste system. State identities available to people in Jammu and Kashmir are not straightforward, but organized (in New Delhi) around complex histories of and politics over social, religious, and class identities.⁵⁷ Muslims have a series of different and non-standardized minority classifications, including for some the "Other Backward Castes" or OBC grouping; other minority group identifications include those of Scheduled Castes (SC) and Scheduled Tribes (ST). The diversity of the J&K population, the limits of the state categorization system, and the increased participation of Islam-oriented militias in the Kashmir conflict result in a similar environment for forging links between exclusionary identities and state enemies.

Finally, in both China and India, as well as elsewhere in the world, the stress over territory in linking nation and state can encourage state desire among dissenting groups. The dissolution of the Tibetan state into the Chinese state was not a passive undertaking. Tibetans continue to protest this dissolution in various manners, be it via working towards stronger freedoms in daily life, more governmental autonomy vis-à-vis Beijing, or, in the case of some Tibetans, the restoration of the independent Tibetan state.⁵⁸ In Kashmir, state desire takes different

forms – secured state autonomy within India, accession to the Pakistani state, or the creation of an independent Kashmiri state. Military action in the region has primarily been in such service to a state or idea of a state. UN involvement in the Kashmir dispute began in 1948 with a UN Resolution ordering Pakistan to halt aggression in Kashmir, and required India to reduce troops to a level of law and order rather than war.⁵⁹ Various ceasefires, skirmishes, periods of actual war, diplomatic bluster, nuclear testing, and two early UN calls for a plebiscite have all come and gone. As in Tibet, where it is unlikely at present that Tibet would become an independent state, the chances of an independent Kashmir are slim. With this in mind, cultural rights, national identity, and increased political autonomy are the main issues for both the Dalai Lama's exile government and for a number of Kashmiri groups.

Cultural Rights, National Identity, and the Multiethnic State

In 1947 the population of Jammu and Kashmir was just over four million.⁶⁰ Seventy-eight percent was Muslim, residing mainly in the Kashmir valley, with a predominantly Hindu population in Jammu, and a majority Buddhist population in Ladakh. Tibet, by contrast, was almost uniformly Buddhist and ethnically Tibetan. Despite this contrast, similar issues of identity (national, cultural, religious) underlie many of the current tensions in Kashmir and in Tibet. Both regions have their own national identities, albeit plural identities in Kashmir, and both are part of large multiethnic states in which a singular national identity – Indian or Chinese – is encouraged. As discussed, issues of Kashmiri and Tibetan sovereignty have been eclipsed by the internationally sanctioned priorities of Indian and Chinese state sovereignty. As a result, while Tibetan and some Kashmiri nationalisms are also rooted in state discourse, specifically the recovery of a prior state, they are overpowered by discourses of human rights. Despite efforts to the contrary, discussions as to how to make the Kashmiri and Tibetan situations “work” within the nation-states of India and China are nationally and globally privileged over attempts to negotiate settlements involving state sovereignty for Kashmir or Tibet. Beyond state sovereignty, what rights are options in these cases? Are similar rights operative or available in India and China?

Human rights, in which the individual is granted legal personality in relation to a state, were first internationally recognized in the 1945 Nuremburg trials. Human rights are not granted to individuals as

discrete entities, but as part of collective cultural entities.⁶¹ However, do these cultural groups have the same sort of rights as endowed to individuals in their name? In an article exploring cultural rights as political passions, Veena Das argues that the modern state dominates the domain of value, assigning both cohesion and recognition to cultural groups.⁶² As various cultural groups in India negotiate their status vis-à-vis the central state, she shows that they seek to reform the public sphere of law and history, overturning not their own internal intimacies, but broader concepts of what community is and cultural rights can be. Her insights are relevant to the Kashmiri and Tibetan cases on two levels – first, that of the state and international realm, and, second, in terms of local efforts to attain recognition via the provisos (official and unofficial) of the state.

According to human rights agencies, serious rights violations occur in both Kashmir and Tibet. In Kashmir, for example, all parties to the conflict have been seen as guilty of regular abuses:

[T]he pattern of systematic human rights violations by all parties in Kashmir has been a critical factor in fueling the conflict that is often overlooked. If those violations had been seriously addressed at any time during the last ten years, the risk of a military confrontation between India and Pakistan might have been reduced.⁶³

Rights violations in Kashmir include executions, rapes, torture, and disappearances. Confirming Das' contention that the modern state sanctions group cultural identity, observers from human rights activists to journalists and scholars find that community organizing as well as violence has become communal. Although Kashmir is a multiethnic state – Muslim, Hindu, Buddhist, Christian – the fighting in Kashmir is increasingly reduced to Muslim versus Hindu, in unfortunate synchronicity with other tensions within India and between India and Pakistan.

Parties in the Kashmir conflict have changed over time. The National Conference has been joined by the Jammu and Kashmir Liberation Front and the All Party Hurriyat Conference among others, as well as the current mix of Indian and Pakistani troops along with unofficial militant groups such as the Hizbul Mujahidin, Lashkar-e-Tayyiba, and Harakat-ul-Mujahidin, most of which are Sunni Muslim,

and some of which are reported to consist of men from Afghanistan and the Middle East in addition to Pakistan.⁶⁴ As such, religiously defined South Asian communalism comprises a key element of the international conflict in Kashmir; it also, however, defines much of local and national elements of the conflict.

Whereas in 1947 Maharajah Hari Singh wavered on whether to accede to India or to remain independent, he did so on the basis of historical or political considerations, rather than the ethnic or religious factors that color secession debates and activities in today's Kashmir. While actual fighting today is confined to the border areas with Pakistan,⁶⁵ other regions of Kashmir are often intimately involved in the conflict, albeit on state-legal terms rather than military terms. Kargil, for example, the site of the most recent war between India and Pakistan is part of Ladakh. Along with Kashmir and Jammu, Ladakh is one of the three regions of the state officially referred to as "Jammu and Kashmir," although portions of Ladakhi territory are now in either China or Pakistan. In addition, while the town of Kargil is predominantly Shiite Muslim, Ladakh's other half, Leh, is primarily Buddhist. Kargil, however, is as culturally and politically distinct vis-à-vis other communities in Jammu and Kashmir as is Leh. Cultural relations among the Kargil and Leh Ladakhi communities were and are linguistic, religious, and political, centered in everyday life and ritual – areas of both interaction and exclusion among groups.⁶⁶ Yet in the last two decades, as anthropologist Martijn van Beek demonstrates, the centering of community has strayed from the bounds of the personally knowable, into the realm of state verification; to be Ladakhi is to be validated by Delhi.⁶⁷

Does the secular nature of the Indian state encourage communalism? In the case of Ladakh, appeal to the government of India must be made in the language of identity politics, forcing new alliances (e.g., among formerly disparate Buddhist communities, and between Buddhist organizations and radical Hindu organizations) and dissolving earlier groupings (e.g., among geographically proximate Buddhist and Muslim communities).⁶⁸ The new associations must be ones that fit the cultural groups recognized by the state – e.g., Scheduled Tribes and Castes, or more recently, "unique" religiously or culturally defined communities. The Indian Constitution provides cultural rights to minorities, and thus the state surrenders some of its own power while retaining the power to name and authorize cultural

groups, i.e., to define the categories available for presentation to and nomination by the state.⁶⁹ The rub is that these cultural groups are also communal in that "communalism was seen [by Ladakhis] as the secret, because illegitimate, but real character of the Indian political system" and thus, the language with which to present one's case for cultural rights to New Delhi.⁷⁰ Following just such petitions by Ladakhi cultural groups, including appeals to "free Ladakh from Kashmir," the Ladakh Autonomous Hill Development Council, Leh was created in May 1995.⁷¹ While their Tibetan cousins and neighbors in the PRC might have a few words to share about "autonomy," the Indian context is fundamentally different than the Chinese context.

Of possible differences between India and China, state type is key. Arguments about communalism, identity, and cultural rights in India rest on a particular type of secular democracy not operative in China: "Although the politics of identity is a symptom and cause of conflict, in political systems based on representation it is also the only viable strategy open to those who seek to make claims on institutions of formal power."⁷² Instead of a representative governmental system, the PRC is organized around a prescriptive system. Ann Anagnost describes this system as built around norms as models for behavior, rather than as averages of behavior: "In the norm as model, categories are not a neutral system of classification but identifying denominations that signify values in a moral system that is prescriptive rather than normative."⁷³ Power in the socialist Chinese state is direct, overt, and loud, rather than the subtle and anonymous power associated with the modern state.⁷⁴ Power is also invested in the Chinese Communist Party, the only political party within the PRC, and thus an entity with an unmatched sovereignty of its own. For Tibetans, the prescriptive element of being a *zhonghua minzu*, or ethnically marked citizen of the PRC, is found in the encouraged, and indeed required, ideological and physical alignment with the party, and thus the state.⁷⁵ While the PRC does make certain legal provisions for "minority nationalities," these provisions allow for little to no departure from the state or party in terms of cultural expression or practice. In both China and India, the modern state necessarily includes a popular sovereignty that, while differently conceived and managed, includes a similar "remaking" of the people into the state's image as a form of governmentality.⁷⁶ Returning to Veena Das' argument, she concludes that this remaking of the people

does not foreclose other possibilities for community, but that people attempt to forge other forms of community alongside those authorized by the state.⁷⁷

Tibetan national identity and nationalism are built on and in response to three separate platforms – first, and most important, is the historic Tibetan “imagined community” bound by various aspects of culture, economy, language, religion; second is the global rise in the late nineteenth and early twentieth century of the modern nation, connected especially to concepts of democracy, in which nation and state became newly linked; and third is the socialist understanding of national status as secondary to class status, combined with the Chinese Communist Party’s social evolutionist view of nationality which ranked the Han first, with the minority nationalities lagging behind.⁷⁸ With the advent and spread of the modern nation, Tibetan and Chinese concepts of the nation have both incorporated a state-based political aspect. The Tibetan nation is now solidly hitched to its lost state, with the exile state taking the form of a temporary nation-state until the territorial nation-state can be regained, bringing Tibetans back under their own rule.

The Chinese nation, on the other hand, has incorporated the political in a different manner. Under socialism, the erasure of class differences is supposed to eliminate the need or relevance of national difference. Yet, after fifty years of socialist rule, and the erasure of some class differences, this has not proven to be the case in Tibet. Complex for some, and simple for others, contemporary nationalism in Tibet is often problematic for the Chinese state even when it is sympathetic to the PRC and to the idea of Tibet as one of the five major nationalities of China. Chinese state rhetoric about Tibetan nationalism is couched in the language of defense and unity, with continual reference to the “unification of the motherland,” “national unity,” and to Tibetan separatists and splittists (and perhaps, more recently, to “terrorists”). The few studies we have of Tibetan nationalist protests in Tibet itself point consistently to the desire for a Tibetan government, specifically the return of the Dalai Lama to, and the exit of the Chinese from, Tibet.⁷⁹ Whether drawing on a (Western) language of human rights or Chinese language of nationalities, it is clear that Tibetan nationalism establishes a meaningful distinction between Tibet and China that the CCP ideological project has not diffused over the last five decades. This distinction over nationalist action and identity pervades the

Tibet–China conflict, informing and informed by various arguments regarding sovereignty and plays an important role in the status of conditions in Tibet at any given time.

Tibetans and Kashmiris both have subjectivities beyond those assigned to them by the governments of China and India. The major difference between the two is the ability to express these subjectivities in their everyday life. In the case of Tibet, cultural expression is highly regulated, and political expression forbidden. Rights, be they individual human rights or collective cultural rights, are not universally standard or available, in China, India, or elsewhere, despite UN Conventions to the contrary. Nonetheless, there are empirical qualitative and quantitative differences in people’s access to rights of cultural and political expression. In the post-9/11 world, will we see increasing differentiation or homogenization between access to rights and expression?

Self-Determination: The Right to a Referendum?

Self-determination has been called “the ultimate collective human right in the struggle to secure basic individual human rights.”⁸⁰ Yet, in the second half of the twentieth century, the concept of self-determination has been gradually weakened in service to the state system; as a result, there is now an important need to renew the right to self-determination as “one that encompasses rights to autonomy, constitutional recognition, devolution, and cultural self-expression.”⁸¹ In the cases of Kashmir and Tibet, the people of these regions have made clear that they would like a voice in the decisionmaking processes that affect their political community. Tibetans are at a distinct disadvantage as both stateless peoples (the refugee diaspora) and as citizens of a single-party authoritarian state. Lacking democratic processes of dialogue and debate over political futures, the PRC provides Tibetans with a different set of options than India ostensibly provides for citizens in Jammu and Kashmir. Nonetheless, in the terms of international law, no state should have sovereign veto power over calls for self-determination, nor does state sovereignty provide blanket immunity from international involvement in “internal” claims.⁸²

As the 1991 and 2003 American wars in Iraq as well as UN actions in the last decade have demonstrated, world sentiment on state sovereignty is changing towards “more flexible, less statist positions.”⁸³ Such a shift is important for the concept of self-determination,

especially in releasing it from the bonds of its "decolonization" period into alignment with the current world order. During the period of European decolonization in the 1950s and 1960s, the concept of self-determination was reserved for peoples claiming independence from European powers only.⁸⁴ Peoples such as the Tibetans, Biafrans, and the Bangladeshis received little or no UN support in their struggles against non-European powers, with the UN allowing these issues to remain primarily domestic concerns.⁸⁵ For Tibet, this case of historical bad timing contributed to the downgrading of Tibet to a human rights issue (i.e., a domestic problem for China) rather than a sovereignty issue (i.e., a bilateral issue between states).

The primary means for self-determination is the referendum/plebiscite system, in which community members vote on a series of political options.⁸⁶ Since its inception, the United Nations has supervised or organized plebiscites and referendums in countries around the world (albeit exclusively in what are considered "third world" countries); in UN terms, such activities are considered peacekeeping functions, and can be mandated by either the Security Council or the General Assembly.⁸⁷ In 1948, the Security Council passed a resolution on Kashmir; accepted by Nehru, the resolution stated that "the fate of Kashmir is [to be] ultimately decided by the people" and "decided through the democratic method of a free and impartial plebiscite."⁸⁸ Eight years later, a "rigged election" supported an Indian Kashmir, followed by a second UN resolution in 1957 again calling for a "free and impartial plebiscite conducted under the auspices of the United Nations."⁸⁹

No referendum has been held in Kashmir as yet, and none looms on the horizon for Tibet either. As joint regional powers, as members of stature in the UN, and with nuclear capabilities, it appears unlikely that the United Nations or any other international agent would be able to force either India or China to hold a plebiscite in the Kashmir or Tibet region. Just such an unexpected turn of events, however, recently happened in Indonesia with regard to East Timor. Forcibly incorporated into Indonesia in 1975 (with anti-imperialist rhetoric similar to that used by the Chinese in Tibet), the Indonesian state successfully naturalized East Timor's presence in the nation.⁹⁰ However, as in Tibet, while the general population of Indonesia accepted this addition to the state, the people of East Timor did not. Key to their independence campaign was not just international

exposure, but, unlike in Tibet, the eventual support of other members of the Indonesian state.⁹¹ In terms of the language used in UN resolutions, with Iraq at one end of the spectrum in terms of action taken and Tibet at the other end with no action even recommended to be taken, the Security Council stated that the Indonesian invasion of East Timor was deplorable, called for the withdrawal of the Indonesian military, and also called for a negotiated settlement.⁹² If self-determination is available to the people of East Timor, and the state of Indonesia determined that it was in their best domestic and international interests to hold a referendum and honor its results, then what would it take for such a referendum to be held in Kashmir or Tibet?

War and Peace: Toward Non-Violent Conflict Resolution

Possible solutions to these conflicts are not easy to suggest.⁹³ While theoretical options are readily available, realistic options are much harder to come by. Any possible solution must rely on a number of factors beyond the immediate conflict – world and domestic politics, economies, and social movements, as well as the unpredictable interests of other parties, personalities, and public actors – and ideally must be non-violent. Building now on the ethnographic, historic, political details outlined in this article, I will review a series of possible outcomes and methods of conflict resolution for both Kashmir and Tibet.

Possible Solutions

1. *Maintain the status quo.* In neither situation is this preferable. In the case of Kashmir, even when not during declared war, sporadic skirmishes disrupt daily life, creating a climate of fear and danger. The Line of Control exists as only a de facto border between India and Pakistan. In the case of Tibet, the status quo involves blanket human rights violations, as well as the continued exile of the Tibetan government and the Dalai Lama. Hundreds of Tibetans risk their lives every year attempting to escape to India via Nepal. The Chinese military is omnipresent, and while surveillance is reduced from Cultural Revolution levels, there is only limited freedom of cultural expression and no freedom of political expression. As Chinese plans to further develop Tibet move forward in tandem with the "Go West" campaign (*xibu da kaifa*),⁹⁴ including the current construction of the

railway to Lhasa, the status quo for Tibetans is likely to decrease with the influx of Chinese settlers and short-term workers.

2. *More autonomy.* In both situations, this might be the most likely scenario. Both Kashmir and Tibet already have some formal degree of autonomy within their respective state systems – Kashmir through Article 370, and Tibet through its designation as an autonomous region (as well as autonomous prefectures and counties outside the Tibet Autonomous Region). Yet in both cases this autonomy is mostly in name only. Programs to strengthen autonomy in Kashmir and Tibet, including an increased devolution of power – under both India and China – would do much to assuage local concerns. Possible scenarios include local control over domestic affairs, local-state coordination over trade and related business, with state control over military defense and foreign relations. The Dalai Lama's official demand for Tibet is *meaningful* autonomy as provided for in the Chinese Constitution, including the demilitarization of the Tibetan plateau. A similar demilitarization in Kashmir would require the cooperation of Pakistan, and thus a solution beyond Indian-enabled autonomy in Jammu and Kashmir.

Within the increased autonomy framework, federation status is a further possibility in the Tibetan case. Unlike most other minority groups within the PRC, Tibetans had their own functioning state at the time of incorporation into China. This state remains not just a part of living memory, but also an actual presence in exile. The creation of a state-within-a-state, of a Tibet within China, would perhaps exceed the exile government's demands while placating the Tibetan people, and accruing much local and international goodwill for Beijing, without – if handled properly – damaging domestic attitudes. In 1994, such a solution was proposed by a group of Chinese intellectuals from Hong Kong, the PRC, Taiwan, and the US in the form of a draft "Constitution of the Federal Republic of China."⁹⁵ While this arrangement might appeal to a number of states and peoples within the PRC, as well as in Taiwan, it is also possibly more threatening than intriguing to leaders in Beijing at present.

3. *Accession to a different state.* A scenario only in the Kashmir situation – accession to Pakistan – this outcome would most likely worsen an already bad situation. In terms of unpredictable futures, given the

history of Sino-Indian border disputes, neither the accession of Kashmir to China (following the Chinese annexation of the Aksai Chin territory), nor that of Tibet to India (*à la* Sikkim), would be a desirable solution to the current conflicts.

4. *Independence.* Imagining China without Tibet, and India without Kashmir requires taking state contraction seriously. Were either Tibet or Kashmir to gain independence, relations between state, nation, and territory in China and India would have to be altered from their present forms. Retraction of the insistence that Tibet is an "integral" and "historical" part of China would require a country-wide discursive campaign, perhaps easier in a socialist state than it might be in India, where Kashmir occupies an important place as a Muslim-majority province in the secular, yet Hindu-dominated Indian state. Independence is also what some Kashmiri groups are agitating for, is what the Tibetan resistance fought for through 1974, and remains what many Tibetans still desire, albeit in muted terms out of respect for the Dalai Lama's platform of true autonomy.

Possible Methods of Conflict Resolution

1. *Unilateral state decision.* Not possible in the bilateral Kashmir conflict, and not probable in the Tibet conflict. While the PRC certainly has the option of granting more autonomy in some form to the Tibetans, the chances of them doing so, or doing so in a substantive fashion, seem highly unlikely without outside incentive.

2. *Domestically negotiated settlement.* In the case of Tibet, this method again seems unlikely given the political organization of the PRC. Without infrastructure for dissent, or even representation outside the bounds of the Communist Party, a domestically negotiated settlement would be difficult to orchestrate. For Kashmir, any domestically negotiated settlement, with either India or Pakistan, would be but a stopgap until a multilateral (India-Pakistan with Kashmiri participation) agreement was reached. For both Tibet and Kashmir, impetus for state action would require the sympathy of the Chinese and Indian people in general; in Tibet, while such sympathies are growing, they remain a minuscule proportion of the general population.

3. *Bilateral/Multilateral negotiated settlement.* For both Kashmir and Tibet, these would be the preferred methods of conflict resolution. Were India and Pakistan able to settle the dispute diplomatically, with Kashmiri representation from both sides of the Lines of Control, this would be an ideal and not unrealistic path. In the case of Tibet, the PRC government reopened overt discussions (albeit kept secret in Tibet itself) with the Dalai Lama's exile government in the fall of 2002 after a two-decade hiatus. While these discussions are not quite at the level of conflict resolution negotiations, they nonetheless hold the promise of effecting positive change in Tibet.

4. *International mediation.* International mediation, whether through the UN or a third party, may work as a means of conflict resolution. Bringing in an international presence, however, must be something agreed to by all parties, and therein lies the difficulty. For example, the Indian government resolutely rejects international mediation in the Kashmir conflict, while the Pakistani government invites it. Past Tibetan experiences with British efforts to mediate boundary disputes between China and Tibet were not positive, as the British were neither neutral (due to their rule in India) nor interested at all levels (i.e., Whitehall vs. colonial officials in Asia) in actually reaching resolution.⁹⁶ For such mediation to work, a truly neutral, disinterested party must serve as mediator, and a system needs to be established to ensure compliance with the settlement.

5. *International intervention.* As opposed to mediation, intervention can be decidedly less friendly, involving coercive diplomatic, economic, military, or other pressures. At present, neither the Kashmir or Tibet conflict appears poised for an international military intervention of this sort, although given post-9/11 issues in Afghanistan, Pakistan, and the Middle East, Kashmir could be drawn more tightly into the zone of international (read US) intervention in response to growing Islamic based insurgencies. Barring a serious increase in human rights violations in Tibet, military intervention seems unlikely, but diplomatic and economic initiatives are already under way, although certainly not on a scale designed to effect drastic change. International pressure is also used to try to encourage multiparty negotiating in both the Kashmir and Tibet conflicts, although again, not to the degree needed for final conflict resolution.

6. *Military battle.* Military solutions are the least appealing of the possible means to an end. Conflict-related suffering and deaths in Kashmir and Tibet need to be halted, not escalated. In Kashmir, the nuclear threat haunts the conflict, and is more likely to be engaged during military rather than diplomatic exchanges. In Tibet, the Dalai Lama has decided that Tibetan engagement of the Chinese is to be non-violent; thus, while Tibet is heavily militarized, any resumption of military battle there would be one-sided, favoring the Chinese PLA (save unlikely massive international military support of the Tibetans). Military solutions are also the methods that have brought us to the current unacceptable status quo in Kashmir and Tibet. Thus, while holding the possibility to be definitive solutions, they do not meet the larger goal of meeting the peoples' and not just the governments' interests.

7. *Plebiscite/referendum.* The UN has twice called for a referendum in Kashmir, which has yet to be held. UN resolutions on Tibet did not go so far, but the Tibetan people have, calling for a referendum as far back as 1924. At the time, the British were trying to mediate a settlement to a persistent boundary dispute between the Tibetans and Chinese in eastern Tibet. A Tibetan assistant to British officer Charles Bell suggested a plebiscite – that a vote be put to the Tibetan people who lived in the area to determine whether or not they wished to be under Tibet or China, with the ballots to be counted by a group of British, Chinese, and Tibetan officials.⁹⁷ The plan was never implemented, the boundary dispute never solved, and thirty-five years later the Dalai Lama fled Lhasa under heavy PLA bombing. Without the active participation of the Tibetan people and the Kashmiri people in efforts to solve – or at least address – these continuing conflicts (even at their most low-grade state), no real solution can be reached. Whether monitored by the UN or other international actors, governmental or nongovernmental, the holding of a plebiscite, as in East Timor, offers the only solution in which local (and displaced refugee) populations can individually participate. With the range of ballot options to be drawn from the list of possible solutions outlined above, determined in tandem with the detailed specifics of each case, preparatory work would need to be done to prepare the voting populations, especially in Tibet, where coercive rather than democratic principles dominate political culture. While the Chinese government is highly unlikely to

consent to such a plebiscite in Tibet, and the Indian government has successfully avoided one in Kashmir, changes in specific political futures – as we saw with the Soviet Union – such as in the territorial integrity of the state, the national sentiment of a population, or governmental consent to a plebiscite, can be neither predicted nor discounted.

Conclusion

Successful resolution of the Kashmir and Tibet conflicts will require amendments to the working concept of the state in India and China. Whether the answer is devolution of power (at a minimum) or state contraction (at a maximum), twentieth-century notions of exclusive, monopolist state sovereignty may be more open to change in the twenty-first century. As increasing work on the ethnography of the state reveals the everyday micropolitics of state operation and of citizen resistance, and constructivist scholarship demonstrates the discursive and historical contingencies of the state, it is ever more evident that regimes, their programs of ideological hegemony, and the borders of their states are indeed impermanent.

In the Buddhist sense, of course, recognizing the impermanent nature of things does not sanction disengagement with their effects in the present. Thus, in closing, I take us to the South Asia Peace Conference in Chennai in August 2001. Immediately after Mirwaiz Farooq of the All Party Hurriyat Conference had given his speech, the Dalai Lama addressed the delegates. He took the occasion to suggest that his own “middle-way” approach to Tibet might be appropriate for Kashmir. The middle-way approach is primarily the abandoning of efforts toward full independence in favor of “true” autonomy. His comments that the sentiments of the Kashmiri people needed to be heard by both India and Pakistan were consistent with the spirit and letter of the Indian Constitution, but nonetheless sparked a minor outrage among a number of Indian politicians who accused the Dalai Lama of engaging in political activities on Indian soil, a violation of Tibetan asylum arrangements in India.⁹⁸ More progressive observers such as the editors of the Delhi weekly *Mainstream* stated that the Dalai Lama’s advocacy of “people’s self-rule or genuine autonomy in Jammu and Kashmir ([is something] that no perceptive observer can ever object to).”⁹⁹

Soon after, the Dalai Lama issued a corrective statement, clarifying his misinterpreted comments, and stating that he has always supported

India, has always considered Kashmir an “integral part of India” with a “well-established democratic process” and electorate, and that his main concern is ending the killing in Kashmir “through peaceful means, through discussion and dialogue.”¹⁰⁰ He also publicly reaffirmed prior statements that he does not consider Tibet and Kashmir to be similar situations: “The legal accession of Jammu and Kashmir to the Indian Union could not be more different from the forceful occupation of Tibet by the Communist Chinese.”¹⁰¹

Such statements, of course, depend not just on international legal parameters or past historical truths, but on the politics of the present. Solving the Kashmir and Tibet conflicts must rely on similar sorts of debates and compromises, on respect for dissenting opinions and interpretations, and on a complication, rather than simplification, of the issues involved. While comparisons between Kashmir and Tibet may be historically unsavory or politically inexpedient, they do make sense in terms of thinking about the state, the international system, and how both are currently failing the Kashmiri and Tibetan people.

NOTES

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1. Humphrey Hawksley, “Flashpoints – Notes on the Present Danger (Tensions Between Pakistan and India),” *National Review*, April 17, 2000.
2. For example, at the 1993 UN conference on human rights in Vienna, China and India each defended the other vis-à-vis the claims of nongovernmental representatives against the other. Gurharpal Singh, “Resizing and Reshaping the State: India from Partition to the Present,” in Brendan O’Leary, Ian S. Lustick, and Thomas Callaghy, eds., *Resizing the State: The Politics of Moving Borders* (Oxford: Oxford University Press, 2002), p. 157.
3. *Xinhua News*, January 26, 2003, and January 27, 2003.
4. Tenzin Delek Rimpoche secretly tape-recorded a message while in jail that was smuggled out to *Radio Free Asia* (January 21, 2003; translated by Rinchen Tashi, RFA) in which he proclaims his innocence: “I am completely innocent. ... As I said before, I have never thought [about] taking [the] lives of other human beings and bombing. My being sincere and devoted to the interests and well being of Tibetan people were the reasons that I have been framed up and wrongly accused. I wish people who are outside could investigate the case.”
5. Erik Eckholm, “Chinese Court Rejects Appeal of Tibetan Monk,” *New York Times*, January 27, 2003.
6. See the Human Rights Watch report “Opportunism in the Face of Tragedy: Repression

in the Name of Anti-Terrorism," detailing abuses in seventeen countries ranging from Australia to Zimbabwe, and including China, India, and the United States, hrw.org/campaigns/september11/opportunismwatch.html.

7. Amnesty International document, "China: Fight Against Terrorism is No Excuse for Repression," October 11, 2001, www.amnesty.org.
8. "Bringing Hope to Tomorrow," *Xinhuanet*, May 30, 2001.
9. In 2002, the Dalai Lama's annual March 10 speech specifically addressed terrorism and nonviolence:

"The world is greatly concerned with the problem of terrorism as a consequence of September 11. Internationally, the majority of governments are in agreement that there is an urgent need for joint efforts to combat terrorism, and a series of measures have been adopted. What is required is a well thought-out, long-term strategy to promote globally a political culture of non-violence and dialogue. ... If we look back at the last century, the most devastating cause of human suffering has been the culture of violence in resolving differences and conflicts. The challenge before us, therefore, is to make this new 21st century a century of dialogue when conflicts are resolved non-violently."

From "His Holiness the Dalai Lama's Statement on the Occasion of the 43rd Anniversary of the Tibetan People's Uprising on March 10, 1959 (Dharamsala, India, March 10, 2002).
10. On Xinjiang, Tibet, and Kashmir as "one of the most important strategic knots" in the Pakistan-India-China triangle, see Claude Arpi, "Indo-Chinese Relations: Great Leap Forward?," *The Rediff Special*, rediff.com (January 13, 2002).
11. US Department of the Treasury press statement, September 12, 2002.
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47. At this time, the People's Republic of China was not a member of the United Nations, although the Taiwanese Republic of China was.
48. Under various titles, offices exist in Australia, Belgium, France, Hungary, India, Japan, Nepal, Russia, South Africa, Switzerland, Taiwan, the United Kingdom, and the United States of America.
49. While most Chinese officials posted to Tibet have been Han Chinese, a number have not, including Wu Jinghua, a member of the Yi nationality, who was Party Secretary from 1985 to 1988.
50. See the website for the China Society for Human Rights Studies, www.humanrights-china.org.
51. US President George W. Bush recently signed into law Tibet Policy Act of 2001 (HR 1779 and S. 852) which contends that the People's Republic of China has not upheld the terms of the Seventeen-Point Agreement, establishes a number of programs and protocols for US-Tibet relations and actions, and requires the US to encourage China to negotiate with the Dalai Lama and Tibetan government-in-exile.
52. One product of this new dialogue is Cao Changching and James D. Seymour, eds., *Tibet Through Chinese Dissident Eyes: Essays on Self-Determination* (Armonk, NY: M. E. Sharpe, 1998).
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55. Kanti Bajpai, "Diversity, Democracy, and Devolution in India," in Michael E. Brown and Sumit Ganguly, eds., *Government Policies and Ethnic Relations in Asia and the Pacific* (Cambridge: MIT Press, 1997), pp. 33-81.
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59. Ganguly, *Conflict Unending*.
60. SarDesai, "The Origins of Kashmir's International and Legal Status," p. 83.
61. Veena Das, "Cultural Rights and the Definition of Community," in Oliver Mendelsohn and Upendra Baxi, eds., *The Rights of Subordinated Peoples* (Delhi: Oxford University Press, 1994), pp. 117-158.
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69. Das, "Cultural Rights and the Definition of Community," p. 117.
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72. van Beek, "Beyond Identity Fetishism," pp. 550-51.
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81. Simpson, "The Diffusion of Sovereignty," p. 36.
82. Simpson, "The Diffusion of Sovereignty," p. 56.
83. Simpson, "The Diffusion of Sovereignty," p. 55. Even with claims of preemptive war as a means of self-defense, it is clear that US-led military action against Iraq signals a change in relative notions of state sovereignty.
84. Simpson, "The Diffusion of Sovereignty," p. 44.
85. Simpson, "The Diffusion of Sovereignty." Simpson states that the Syrians successfully argued that if the ruling power was from the same continent as the petitioning

- community, then the ruling power should be considered indigenous and therefore legitimate.
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 90. Stephen Zunes, "Indigestible Lands? Comparing the Fates of Western Sahara and East Timor," in O'Leary et al., eds., *Right-sizing the State*, pp. 289-317.
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Kashmir: All Tactics, No Strategy

JONAH BLANK

Returning to Srinagar after several years' absence, a visitor notices something odd: the summer capitol of Jammu and Kashmir seems less like occupied territory and more like a normal city. The feel of the place is far more relaxed than in the past: less edgy, less tense, less dominated by the presence of many itchy fingers fidgeting on the hair-triggers of automatic rifles and the pins of concealed grenades.

Throughout the 1990s, passing through Srinagar airport often required ten separate full-body frisks. In the last days of 2002, security seemed no more onerous than procedures in Delhi, Paris, or London. Between the airport and town, a spate of construction shows that at least some property-owners feel secure enough to start building new homes.

Lal Chowk, in the heart of the city, is again the bustling bazaar of years gone by. Throughout the main streets and alleys, traffic jams are caused not by military roadblocks, but by ordinary traffic. Even in the depth of winter, stalls are full of fresh fruit and produce. Shiny new motorcycles fill recently opened showrooms, and jewelry stores flaunt their gold in glass-plate windows rather than hiding it behind metal shutters. Last time I'd been at this intersection, I and everyone else foolish enough to venture into Lal Chowk that day at noon had fled the scene with teargas blazing its way through our eyes, throats, and lungs.

That time - November of 1998 - wasn't even a point of high tension; it is looked on now as a rare interlude of tranquility: after the grassroots support for the insurgency had faded, and before the Kargil crisis raised the stakes once again.¹ But four years later, the populace and the security forces alike seem far more at ease. Gone is the brisk, wary attitude of getting one's task accomplished and retreating quickly to one's home or barracks; in its place, a more casual aura of people going about their lives without much worry over reaching the end of the day intact. Bunkers of sandbags and concrete, ubiquitous street-fortresses in the 1990s, are smaller and less commonly seen. Children play full games of cricket rather than surreptitiously snatched innings. On Srinagar's two golf links, duffers and their caddies calmly tread the greens bundled in thick cloaks to fend off the morning chill.

So why is everyone still so pessimistic?

Yes, conditions have improved (residents grudgingly concede, when pressed), especially since the formation of Mufti Muhammad Sayeed's government in the fall. Electricity is now available, if not reliably, at least more often than before. But Delhi will never permit Mufti to keep his promises (locals say): disband the hated Special Operations Groups, release political prisoners, refrain from enforcing the Prevention of Terrorism Act, open real dialogue with the separatists – it'll never happen. And with the government of Jammu and Kashmir virtually bankrupt, even such improvements as electricity will be short-lived.

If this pessimism is justified (and in Kashmir, pessimism generally is), perhaps it is due to a nearly universal emphasis on short-term tactics at the expense of long-term strategy. Virtually all parties – whether based in New Delhi, Islamabad, Srinagar, or Muzaffarabad, seem to be thinking tactically rather than strategically. The one notable exception to this trend is the most implacable segment of the militants. All the more reason to be pessimistic.

India

Military Forces

India's conventional armed forces in Kashmir (as opposed to specialized counterinsurgency and paramilitary units)² are locked in an uncomfortable stalemate with the armed forces of Pakistan. The tactics for both armies are often quite similar – artillery duels, occasional skirmishes, vigilance against enemy incursions, attempts to score marginal territorial gains along the Line of Control (LOC) where it becomes poorly demarked on the Siachen Glacier and other forbidding northern regions. The discussion of day-to-day tactical operations on the Pakistan-held portion of Siachen and Northern Areas given later in this article is generally applicable to these units' Indian counterparts as well.

On the issue of larger strategy, moreover, Indian and Pakistani military planners often seem mirror images of each other. Both sides are confident of their capabilities, eager to "teach the enemy a lesson," and more than willing to flirt with the idea of nuclear exchange. Yet neither side presents a coherent set of realizable military objectives, or any plan by which its inchoate long-term goals can be achieved.

From India's standpoint, the foremost such goal would be a halt to Pakistani support for the insurgency in Kashmir. Conventional military operations, however, do not seem geared toward generating this

outcome. At best, they seem geared towards maintaining an avowedly unacceptable status quo on the ground, and prevention of another Kargil-scale incursion. At worst, they run the risk of embroiling India in a self-destructive full-scale war.

Rhetorically, India's civilian and military leadership have been increasingly hawkish since both countries became declared nuclear powers in May 1998. Home Minister L. K. Advani's advocacy of "hot pursuit" of militants, paired with his warning (following India's test, and preceding Pakistan's) that "Islamabad should realize the change in the geo-strategic situation in the region and the world," can be taken as a barely veiled threat of conventional action backed up by nuclear deterrence.³ Prior to retooling for the 1998 campaign, the BJP's manifesto had stated that the party "affirms unequivocally India's sovereignty over the whole of Jammu and Kashmir, including areas under foreign occupations."⁴ Since that time, leaders both in and out of uniform have suggested that India's redlines on Kashmir are perilously close to being breached.

Such a stance may be more than mere rhetoric: in the four years since Kargil, the patience of India's officers on the ground in Kashmir has worn very thin indeed. On some occasions, officials on both sides of the LOC say, the Indian military has responded to insurgent attacks with stepped-up action against conventional Pakistani units. An example of this newly aggressive activity may have occurred on August 21–23, 2002 near Pakistani posts of Gultari and Haider Ridge.⁵

According to Pakistani military officials, during this period India launched a land-air assault consisting of seventy ground troops and seven aerial sorties. The land action against Haider Ridge was repulsed, Pakistani officials say, and Indian troops evacuated their dead and wounded when they withdrew. But Pakistan alleges the air assault left evidence behind: a crater at least ten kilometers behind the LOC, far too large to have been caused by Indian artillery.

Pakistan alleges that six of the seven sorties crossed the LOC on a parallel course to the demarcation line. One sortie, composed of two jets, was significantly more provocative: it flew on a northerly course from Indian post F6 toward Gultari, demonstrating a clear intent breach the LOC. This is the sortie, Pakistani military officials say, that left the bomb crater behind.

Indian officials deny that any breach of the LOC occurred, either by ground or air assets.⁶ A limited ground incursion would not be

precedent-setting: military officials of both armies admit that their troops and their adversaries alike engage in small-scale skirmishes. A deliberate air incursion, however, would be far more provocative: there have been no confirmed major air strikes since the Kargil conflict, and prior to that conflict there had been no offensive use of air power since 1971.⁷ Even during Kargil, air action across the LOC was limited to the initial stages of the engagement: India refrained from using air assets to attack Pakistani lines of communication with its dug-in Northern Light Infantry units, although such restraint may have increased India's own casualty rate by necessitating frontal ground assaults on strongly defended positions.⁸

If the crater at Gultari was the result of a bomb dropped by an Indian jet on the Pakistani side of the LOC,⁹ this would represent a level of assertiveness that the Indian chain of command had considered unduly provocative even while repelling a large-scale effort by Pakistan to take and hold territory on the Indian side of the line. What might have prompted Indian general officers to condone an action in August 2002 that they had shunned three years earlier? May 2002 was a time of high tension between India and Pakistan, with threat of nuclear exchange taken so seriously by the US government that Washington took the exceptional step of withdrawing the families of diplomatic staff from New Delhi.¹⁰ Pakistani President Pervaiz Musharraf had clamped down on cross-LOC infiltration following the diplomacy of US Deputy Secretary of State Richard Armitage, but in mid-July and August infiltration spiked again. The fact that the alleged Gultari assault was reported mere hours after Armitage returned to Delhi for a new round of diplomacy was cited by both sides to bolster their positions. On balance, the timing of the Armitage visit would cast serious doubt on the scenario of an unprovoked Indian assault – but it might lend credence to a scenario under which Pakistan intentionally provoked Indian forces and received a significantly greater retaliatory strike than top officials in Delhi or Islamabad had envisioned. If Indian forces did indeed display unusual aggressiveness at Gultari in August, they may have been responding to the perceived surge in Pakistani-supported militant activity.¹¹

Whether or not Gultari was an instance of India matching its rhetoric with action, the overall strategic question of such rhetoric remains hanging: to what end? Whether or not "hot pursuit" and cross-LOC retaliatory policies advocated by Advani and others are actually

implemented, what are they aimed at accomplishing? The mechanism by which such limited strikes would compel Pakistan to abandon its support for the insurgents remains utterly opaque. And if such attacks are *not* intended to be limited, where are they supposed to stop? If there is no natural firewall in the escalatory sequence, do Indian planners expect the Pakistani military to accept defeat without resorting to nuclear weaponry?

This question, apparently, does not bother decisionmakers in Delhi. Defense Minister George Fernandes ushered in the new year of 2003 by dismissing the possibility of a Pakistani nuclear strike out of hand: "*Yeh bakwas hai*" (it is nonsense) he told reporters in Patna.¹² A few days later in Hyderabad, Fernandes went even further: "We will suffer a little bit," the Defense Minister said, referring to a Pakistani nuclear strike. "We can take a bomb or two, or more," he said, "but when we respond there will be no Pakistan."¹³ In other words, to combat an insurgency that has caused tens of thousands of deaths over the course of fourteen years, India is willing to absorb several *million* deaths over the course of several minutes. This is not strategy – it is anti-strategy.

Central Government

When it comes to long-term thinking, the political cupboard is equally bare. The Bharatiya Janata Party (BJP), which has been the leader of India's governing coalition since 1998,¹⁴ has consistently founded its Kashmir policy on two premises: first, that the continuing troubles of Kashmir are due almost entirely to Pakistani meddling; second, that a hawkish attitude and international pressure will compel Pakistan to end such interference. The first of these premises is counterfactual. The second is probably wishful thinking.

On the first premise, much ink has been spilled, so there is little need for an extended discussion.¹⁵ BJP theorists do not assign Pakistan sole blame for *initiating* the insurgency – they are happy to acknowledge Congress Party mismanagement, electoral fraud and human rights abuses during the 1980s. For the insurgency's *continuation* through the period of governance by the BJP in Delhi and BJP-allied National Conference in Srinagar, however, they give Pakistan credit for more than Islamabad may have been able to deliver. Pakistan bears much responsibility for fuelling and promoting the insurgency, but I would argue that there is more than enough blame to be apportioned between Islamabad, Delhi, and Srinagar.

The second premise is unfalsifiable – perhaps a day will indeed come when Pakistan will be cowed into reversing its policies of the past fourteen (if not fifty-five) years. But the Pakistani military has historically responded to opposition by hardening its own posture, even when such a course is manifestly self-destructive. The clearest example of this, perhaps, came in 1971: the political challenge posed by the Awami League in East Pakistan and the military challenge posed by Indian forces were both insurmountable – yet the Pakistani military went marching into the breach. If today's BJP believes that the same Pakistani military establishment will abandon its Kashmir policy out of self-preservation, it is betting that the future will bear no relation to the past. Any planning founded on such a premise is a strategy based on hope rather than on history.¹⁶

The BJP has never shown much appetite for creative solutions in Kashmir, but the December 12, 2002, electoral victory of Chief Minister Narendra Modi in Gujarat would probably have suppressed any potential initiatives that might conceivably have emerged. The scale of Modi's win, and his unabashed championing of hard-line Hindutva positions, has provided encouragement to the party's most uncompromising elements. Advani finds himself in the novel position of having to guard his right flank. For a Deputy Prime Minister hoping to realize his decades-old ambition of stepping into the top spot, the prospect of a younger challenger making a bid for his constituency would be a powerful disincentive to compromise.

For the party as a whole, Kashmir seems to be regarded as an electoral issue rather than national crisis. Prime Minister Atal Bihari Vajpayee would like to resolve the conflict before retiring from public life, but for the next two years his attention will be focused on state assembly elections in Rajasthan, Madhya Pradesh, and Himachal Pradesh in 2003, and the general election in 2004. Solving the problem in Kashmir would require considerable expenditure of political capital, and considerable political risk.

If the central government were inclined towards bold action, the time for such an initiative would be right now. The elections held in the fall of 2002 were widely acknowledged to have been the fairest in decades, possibly since the 1950s. The fact that the ruling National Conference government was voted out of office is proof that the results were not rigged.¹⁷ Although its coalition partner lost the poll, the governing party at the center could have trumpeted the electoral results

as a win – a victory not for the BJP *per se*, but for the democratic process on the ground in Kashmir.

Delhi could have used this symbolic moment as an opportunity for change: it could have fully supported the newly elected People's Democratic Party's "Healing Touch" program, and given it all the political and financial support necessary to succeed. If the policy failed, Chief Minister Mufti Muhammad Sayeed would receive the blame. If it succeeded, the BJP would share the credit, and Vajpayee would have his legacy.

Six months after the election, however, the central government has not taken this course. The moment of opportunity has not yet passed, but it is rapidly slipping away, and India's political parties are already gearing up for the contests of the coming year. Even if the BJP were not genetically predisposed against compromise in Kashmir, it would be forced by the electoral calendar to think tactically rather than strategically.

Other Political Parties

The same dynamic seems likely to prevent other political parties from thinking strategically on Kashmir. Many in Srinagar predict Mufti's government will part ways with Congress before it has the chance to enact most of its program. All groups, it seems, are thinking only one step ahead.

The National Conference, unexpectedly roused from power, has lacked any sort of vision since the death of founder Shaikh Abdullah in 1982.¹⁸ Under the leadership of Shaikh Abdullah's son Farooq Abdullah, the party became identified with few values apart from corruption, vote rigging, and subservience to New Delhi. Perhaps Farooq's son Umar Abdullah will eventually rebuild the organization, or perhaps in a future election voters will turn back to the National Conference out of distaste for the other alternatives – but at present, the party has yet to articulate why it exists.

The Congress Party, the speculation among political analysts goes, is destined either to undermine or to withdraw support from Mufti's government. As the 2003 state elections and 2004 general election draw closer, Congress will be under increasing pressure to adopt a hard line on Kashmir. So long as Mufti supports a policy of conciliation and Congress supports Mufti, the BJP will use Kashmir as a cudgel in elections throughout India. Every militant attack, whether in Jammu

and Kashmir or elsewhere in the country, will be an opportunity for their opponents to brand Congress candidates as "soft on terrorism." Congress (this line of analysis goes) will have to compel Mufti to abandon his trademark positions, or it will pull out from his coalition.

For Mufti's People's Democratic Party, the choice between surrendering positions or losing power is not as difficult as it might seem: without a historical base, widespread grassroots organization, or a national framework of support, the party's only hope for long-term survival rests in its identity. Take away the "Healing Touch," and there is little left. If Congress presents Mufti with an ultimatum, he is likely to choose fresh elections rather than sacrifice his claim to legitimacy.

In fact, a fall of his government might suit the People's Democratic Party quite well. Most elements of Mufti's platform are beyond the ability of any state government to deliver: military and paramilitary policy is largely controlled by Delhi, as are the financial resources necessary to provide significant improvement in the daily life of the populace. The Chief Minister's daughter, Mehbooba Mufti, has been assiduously cultivating a constituency for years, but the People's Democratic Party will need more time before it can supplant the National Conference as Kashmir's dominant political force.

If Congress withdraws support and Mufti's government falls, both could end up winners: Congress could take a hawkish line on Kashmir to move the issue off the table for the upcoming elections further south, while Mufti's party could pick up more seats in the subsequent election and shift the day of disillusionment – the day when his government is seen as failing to make good on its promises – further into the future. A fresh election in Kashmir, moreover, could raise problems for the BJP: any such polling would face opposition from the militants, and a flawed election would be a serious embarrassment for the central government. In the short run, such tactics may indeed be successful. In the longer term, however, both Congress and the People's Democratic Party will have to come up with a strategy more complete than simply winning by losing.

Kashmir

Perhaps the outfit most sorely in need of new strategic thinking is the All Parties' Hurriyat Conference, the umbrella group of some two dozen organizations representing Kashmiris on both sides of the LOC. To a large degree, the Hurriyat can more credibly claim to speak for the

Kashmiri people than can any officials (whether elected or selected, military or militant) in Islamabad, New Delhi, Srinagar, or Muzaffarabad. But to an equally large degree, the Hurriyat is in danger of becoming irrelevant.

In the early stages of the insurgency, the Hurriyat and its component parts were undeniably representative of mainstream opinion in the Valley. As the militancy began to mutate from a grassroots uprising into a proxy war, however, the Hurriyat was pushed gradually to the sidelines. After the Jammu and Kashmir Liberation Front (the leading Hurriyat voice during the early stages of the insurgency) gave up the gun in 1994¹⁹ militancy fell increasingly into the hands of non-Kashmiris. The sole significant armed group predominantly composed of Kashmiris has, since the mid-1990s, been Hizb-ul Mujaheddin, which advocates Kashmir's separation from India and union with Pakistan. For nearly a decade, the locus of decisionmaking for the insurgency has been (depending on whether one points to Muzaffarabad or Islamabad) either twenty-five or eighty kilometers west of the LOC.

Since the disarming of the Jammu and Kashmir Liberation Front, there has been little space for the articulation of a *uniquely* Kashmiri viewpoint. Kashmiris in political life must speak as citizens of India (former and current Chief Ministers Farooq Abdullah and Mufti Muhammad Sayeed, for example), or would-be citizens – *de facto* or *de jure* – of Pakistan (Hurriyat leaders Syed Ali Shah Geelani and Prof. Abdul Ghani Bhatt, for instance). Those who reject both options, and most Kashmiris would probably reject both if they could, are left trying to sit between two chairs. They must squat uncomfortably to avoid an unceremonious tumble.

Throughout the 1990s, this fall was avoided by Delhi's inability to hold credible elections in the state. Chief Minister Farooq Abdullah was regarded as a mere puppet, so the Hurriyat could present itself as the only legitimate voice of the Kashmiri people. Delhi complained of a Catch-22: the Hurriyat and the militants enforced a boycott of elections, and then used the failure of the electoral process to claim the right to speak for the disenfranchised. But identifying a conundrum did not make it go away.

The Kashmir assembly election of 2002, however, radically altered this dynamic. By permitting the election of the People's Democratic Party, Delhi undercut the salience of a key element of the Hurriyat's *raison d'être*. The People's Democratic Party may yet lose its legitimacy:

after all, the National Conference was recognized as the voice of mainstream Kashmiris for nearly four decades before being discredited by corruption and rigged polls. But for the present, at least, Mufti Muhammad Sayeed has disproved the assertion that Delhi will silence any Kashmiri leader who dares voice a dissent.

When the Hurriyat was the only Kashmiri voice, it did not need to say much. Lack of competing credible viewpoints permitted Hurriyat spokesmen to avoid difficult decisions. Any coalition of two dozen groups would have trouble formulating a coherent position, and for the Hurriyat this trouble is compounded by that fact that many of its components are under financial and political obligations to patrons in Pakistan. Throughout the 1990s, the organization's trump card was Indian denial of democratic expression. Without this card, the Hurriyat will have to come up with a deeper, further-reaching strategy for the future.

Instead, Hurriyat leaders act as if nothing changed with the elections. They correctly point to elements that made the polling a decidedly imperfect exercise: coercion by Indian security forces in some parts of the state, for example, and exceptionally low voter turnout in others (particularly in the Valley). But an imperfect election is by no means an invalid election: if it were, the community of democracies would rapidly dwindle.²⁰

Instead of soul-searching, many Hurriyat leaders merely restate long-held arguments. G. M. Bhat, recently chosen amir of the Jamaat-i Islami, takes a more flexible position than his rival, strongly pro-Pakistan Syed Ali Shah Geelani: "India is my country - the biggest democracy in the world," he says. "Pakistan is also my country. And Kashmir has become a festering sore between them." He demands that India engage in "meaningful dialogue," but he is unable to outline what might make dialogue meaningful. Speaking two months after the elections of 2002, he declines to describe them as a step forward: "There has never been a step forward," he says, "not since 1948."²¹

Another top Hurriyat leader, Mirwaiz Umar Farooq, goes further than most in recognizing the need to acknowledge changing circumstances. He admits that life has gotten marginally better in Kashmir under the new Chief Minister, although he expresses doubt about Mufti's ability to bring any real shift in the fundamentals. A more important change, the Mirwaiz says, is in the geopolitical atmosphere since the terrorist attacks in the United States of September 11, 2001:

now militancy is unlikely to win support from the US, and this provides unarmed groups with a new role to play.

The Mirwaiz sees the Hurriyat as bridge between the Indian government and the armed insurgency: "You can't wish the militant groups away," he says, "you must engage them in dialogue."²² The militancy has done its job: it has highlighted Kashmiri grievances and put the issue on the international agenda. Now it is time to bring the fighters in from the cold.

As the only Kashmiri group among the armed militants (the argument goes), Hizb-ul Mujaheddin is the key. Without Hizb, the insurgency would lose much of its legitimacy. The Hurriyat can persuade Hizb to come to the negotiating table, and once Hizb takes that step, Pakistan will make sure any militant groups controlled by its Inter-Services Intelligence (ISI) follow suit.

Whether the Hurriyat can in fact deliver Hizb is far from certain, as is the corollary that ISI would deliver the other groups if Hizb led the way. More likely, perhaps, would be a scenario under which ISI or groups it supports strong-armed Hizb back into the fold, as happened in 2000 when Hizb's operational commander Abdul Majid Dar proposed a ceasefire that Delhi was foolishly slow to accept.²³ While Delhi delayed, Hizb's overall leader, Islamabad-based Syed Salahuddin, overruled Dar and withdrew the offer. The execution of Dar by unidentified gunmen on March 23, 2003, underscores the difficulty of "delivering" moderates within the organization. Regardless of the chance of success, however, a genuine Hurriyat attempt to deliver Hizb would at least be an act of strategic thinking rather than a mere recapitulation of set positions.

But this thinking is premised on the idea that, once at the table, the militants would have something meaningful to say. As the putative bridge to the armed factions, the Hurriyat should be better placed than any other group to start building the framework for dialogue: what might a solution to the crisis look like? What steps could be taken along the way? What specific actions from the Indian side could lead to what specific actions from the militants, with what specific benchmarks?²⁴

Hurriyat leaders could take on the duty of shaping the discussion that must someday be held: they could serve as interlocutors between Delhi, Islamabad and Muzaffarabad, sending up trial balloons, putting out feelers, trying to edge the process toward a solution agreeable to the Kashmiri people. But that does not appear to be happening. When I left

Srinagar, the Hurriyat's primary demand before opening dialogue with Delhi was that its leaders be permitted to go to Pakistan for consultations. Whether consultations with militant groups in Pakistan take place before, during, or after any talks with Delhi – or if they never take place at all in Pakistan, and leaders instead confer at sites in the Gulf or elsewhere – is not going to change the dynamic of the conflict in Kashmir. One thing that can be predicted of such a debate: it is guaranteed to be a matter of pure tactics instead of strategy.

Pakistan

The Conventional Army

A long-serving officer in the Pakistani army, during lunch in the summer of 2002, made several assertions that highlighted the poverty of strategic thinking (or perhaps of strategic analysis) in the mindset of his nation's military:

- Kargil was a net gain for Pakistan. Musharraf had told his general staff after the operation that it had accomplished its goals, namely putting the Kashmir issue on the international agenda, keeping India off balance, and demonstrating that Pakistani troops could outfight their Indian counterparts.
- The Pakistani military, partly due to its superior morale, could beat the Indian military in a conventional war, so there would be no need to exercise the nuclear option.
- If Pakistan were the size of India and vice versa, it would have "swallowed up" its smaller neighbor decades ago. The fact that India has not done so is not due to self-restraint, but to Hindus being "a little bit cowardly."

Such views might be deemed merely colorful if they were limited to a small number of officers outside the top decisionmaking circles. They become far more instructive – and far more worrisome – when expressed, with alarming frequency, by serving and retired members of the Pakistani general staff. The mindset displayed is one in which gravely important military decisions are based on premises that are either short-sighted (Pakistan could fight India to a stalemate in a limited war) or downright wishful (Pakistan would emerge victorious in a full-scale conventional war). Any military planning based on such shaky assumptions would have to be deemed strategically suspect.

The Pakistani deployments along the LOC, and particularly along the inhospitable areas on and near Siachen glacier, provide a clear demonstration of the dominance of tactics over strategy.²⁵ In military terms, the Pakistani army (like its mirroring Indian counterpart) is performing a feat of tactical brilliance – mere operation on the world's highest battlefield is a daily triumph of both armies' professionalism, dedication, and willpower. But the strategy underlying such operation remains elusive: a stalemate is costly and debilitating, but plans currently in place are not geared towards deescalating deployment in this area, or removing the security concerns that gave rise to the mutually destructive status quo.

The world's second highest mountain, K2, is generally regarded as a more difficult climb than Mt. Everest. At 28,250 feet, it comes up a mere 778 feet short of its glory-hogging rival. This small difference in height is more than made up for in sheer misery: Everest attracts its share of wealthy dilettantes, but it is unlikely that anyone other than a supremely experienced mountaineer has ever seen the summit of K2.

The base camp on K2, perched at 16,250, does not look like much: a handful of black marks in the snow, easily mistaken for rocks if one isn't looking carefully. A Pakistani military MI-17 helicopter struggles to reach this altitude, its rotors frantically grasping for purchase in the thin mountain air. Our destination, a forward army post a few minutes' flight to the south, looks identical and is at the same height.

The chopper pilot circles several times before attempting a drop-off: he performs a touch-and-go, lingering only long enough for passengers to jump out, since his craft would have great difficulty getting airborne from a cold start at this altitude. The post consists of less than a full platoon, the soldiers huddled together in prefabricated plastic igloos each holding half a dozen men. After three months at a station further from the front, these troops will serve only three weeks on this Siachen forward post. Much longer than that, experience shows, tests the very limits of most humans' endurance.

The men here consider themselves fortunate, however: the *really* tough duty, they say, is up *there*. They point to another set of black marks in the snow, set on a ridge towering above us at 22,000 feet. Six thousand feet higher than us – six thousand feet higher than K2 base camp – another platoon shivers stoically and keeps watch.

On Siachen, mere existence is an ordeal. Warfare, and the constant vigilance to prepare for it, is a task almost too rigorous to be rational. Yet,

rational or not, it has been the burden of Pakistani and Indian soldiers for nearly two decades. Even at altitudes well below 16,000 feet, ordinary tasks become painstaking toil. Most supplies have to be man-hauled up to the forward and intermediate posts: choppers must be flown very light in order to reach even the medium-height posts, and many positions (due to altitude, terrain, or weather) cannot be reached by helicopter at all. Nearly every artillery round, ration-tin, or concrete slab for the construction of bunkers must be toted on the backs of porters. Closer to sea level, a single porter can carry several large-caliber artillery shells; on Siachen, a single shell requires the labor of two fully acclimatized porters.

The combatants can expect very little reward for their efforts. In any artillery barrage, only the first few rounds have any chance of doing damage: no munitions in use on Siachen have any real capacity to harm enemy soldiers once the men have reached the safety of their fortified bunkers. The altitude and lack of cover above the tree line make seizure of territory a low-margin endeavor. A fit soldier can move only 1 km/hour on Siachen, and with Indian and Pakistani posts spread every 1–2 kilometers, there is little possibility of surprise attack. Senior officers in both armies acknowledge that they try to capture enemy positions on Siachen and other northern areas whenever possible: "If we manage to take a point and hold it," one officer told me, "we say we've always held this post, and that the bodies of the enemy belonged to an unsuccessful attacking party. The other side does exactly the same. So perhaps the Line will shift half a kilometer in our direction today, half a kilometer in their direction next week."²⁶

The Pakistani army, like the Indian army, is very skilled at such tactical high-altitude skirmishing. And perhaps, as several general staff officers have argued to me, the shared sacrifice of service at Siachen toughens the troops up, boosts their confidence, and improves overall morale. It is hard to argue, however, that these goals amount to a long-term strategy. The status quo is unacceptable (at least rhetorically) to the militaries of Pakistan and India alike – if the status quo were deemed a good outcome by either side, its maintenance could be judged a strategy in of itself. But the Pakistani military, like its counterpart across the LOC, does not seem to be engaged in actions designed to alter this strategic stalemate.²⁷

The Militants

Perhaps the only party in the Kashmir conflict that is engaged in real strategy is the most implacable portion of the jihadi militants.²⁸ Unlike

conventional military or political authorities in Delhi, Islamabad, and Srinagar, these combatants have a plan for changing the long-term dynamic on the ground. Unfortunately for all other actors, whether Indian, Pakistani, or Kashmiri, their strategy is to destabilize communal relations throughout the subcontinent.

The long-term goal of the jihadis is not merely the liberation of Kashmir from Indian rule; it is the liberation of (at a minimum) the Muslim populations of India, Pakistan, and other countries from secular rule, and the institutionalization of an Islamist government over as wide a territorial sway as possible. While Hizb-ul Mujaheddin focuses its activities in Jammu and Kashmir, groups such as Lashkar-e Taiba and Jaish-e Muhammad regard Kashmir as merely one theater in a much wider war.

A key challenge for these jihadi groups is that the vast majority of South Asian Muslims do not consider themselves to be in need of such liberation. Religious parties in Pakistan never successfully challenged the dominance of the secular Pakistan Peoples' Party and Pakistan Muslim League elections prior to 2002, and even in the stacked 2002 elections the Muttahida Majlis-i-Amal coalition garnered only 11% of votes.²⁹ Islamist parties have had even less success in Bangladesh, despite the presence of the small hard-line Islami Oikya Jote party and more moderate Jamaat-i-Islami as junior members of the governing coalition led by the secular Bangladesh Nationalist Party of Khaleda Zia.³⁰ As for the Muslim population of India (possibly more numerous than those of either neighbors, although accurate figures remain elusive), they have consistently shunned separatism ever since Independence. Not since Muhammad Ali Jinnah used the Two Nation theory to advocate a separate homeland for his coreligionists have large numbers of Indian Muslims rejected the notion of a secular, multiconfessional state.

This challenge explains the jihadis' decision to expand their operations beyond the borders of Jammu and Kashmir. The strategic shift was under way during the late 1990s, but three recent incidents are indicative of a trend that has extended into many less dramatic operations, both failed and successful.³¹

The first incident came on Christmas Eve of 1999, with the hijacking of an Indian Airlines jet carrying 178 passengers and eleven crew from Kathmandu to New Delhi. The ideological and institutional bent of the hijackers was revealed by their demands, most notably the release from Indian prison of Maulana Masood Azhar, a leader of the jihadi group

Harkat-ul Ansar.³² By landing the plane first in Lahore, the hijackers attempted to associate the Pakistani government in their action and force Pakistani citizens to take sides. Denied permission to remain in Pakistan,³³ the plane continued on to Kandahar, Afghanistan, where even the Taliban regime proved less welcoming than the hijackers might have expected. The Taliban threatened to execute every member of the group if the hostages were harmed, and refused (at least publicly) to grant the captors asylum. Despite a history of close operational ties between the Taliban and Harkat, the jihadi group was deemed too radical for public embrace even by the world's most radical Islamist regime.³⁴

The next attack, a daring assault on Parliament House in New Delhi on December 13, 2001, brought Indo-Pakistani relations to perhaps their lowest point in three decades. Five assailants armed with automatic rifles, plastic explosives, and grenades killed seven people before themselves falling to security forces.³⁵ The action was designed to elevate tensions between the two nuclear neighbors, and in this regard it was a clear success. The two armies deployed some one million troops to the border and LOC, and maintained this enormous force on a high state of alert for the better part of the following year. It is widely speculated that if the attack had succeeded in decapitating India's political leadership, a nuclear strike – whether retributive from Delhi or preemptive from Islamabad – might have followed soon after. While this must, fortunately, remain one of history's "what if's," the actual outcome was hardly cause for reassurance. On January 12, 2002, Musharraf banned Jaish-e Muhammad and Lashkar-e Taiba (the two groups suspected of having perpetrated this attack and a similar assault on the assembly house in Srinagar two months earlier), but he released almost all activists after cursory periods of detention. The leaders of the two groups, Maulana Azhar and Hafiz Muhammad Saeed, spent brief periods under house arrest and are currently living openly in Pakistan.³⁶ By May, nuclear tensions had reached such a dangerous point that many Western nations and NGOs withdrew staff from New Delhi in preparation for a potential evacuation, and US shuttle diplomacy was required to bring both governments back from the brink of war.

The third such attack occurred 700 miles away from Kashmir, in the Indian state of Gujarat. On September 24, 2002, twenty-four assailants entered a Swaminarayan temple in Gandhinagar and slaughtered twenty-eight worshippers and three policemen before being gunned

down. The action followed anti-Muslim pogroms in Gujarat that had killed two thousand the previous spring, and seemed designed to spark another round of bloodshed at the hands of Hindu revivalist mobs. The previous Gujarat violence had been set off by the incineration of fifty-eight Hindus in a railway carriage, following skirmishes between Hindu militants and Muslim vendors at the station in Godhra.³⁷ While the Godhra episode has not been credibly linked to any terrorist group, the attack on the Akshardham temple complex in Gandhinagar appears to be the work of a jihadi organization. The perpetrators were apparently hoping to instigate another cycle of disproportionate violence by Hindu groups like the Bajrang Dal and the Vishwa Hindu Parishad, which had colluded with local political authorities and police to carry out the anti-Muslim riots the previous spring. This time, Delhi did not repeat its earlier inaction: it rushed significant troop strength to the state in order to maintain order, and a wider tragedy was avoided. Nevertheless, the terrorist attack on the Akshardham mandir helped Gujarat Chief Minister Narendra Modi (under whose watch the earlier pogroms had taken place) win his bid for reelection – an outcome likely to entrench hard-line anti-Muslim positions in the BJP for the immediate future.

The aim of these attacks is brutally clear: radicalize the Muslim population of Pakistan, to drive a wedge between the Muslim minority and the Hindu majority in India, to create the desire among Muslims in both countries (and further afield) for the all-sweeping liberation of trans-national Islamism. The theoretical literature of anthropology, sociology, and political science contains extensive discussions on the logic of religious violence.³⁸ One sad fact to emerge from this literature is that such policies are often successful. The use of bloodshed as a deliberate tool of strategy is horrific – but at least it is a strategy. Revolution (to quote a theorist and practitioner of a rather different flavor of fanaticism) is not a dinner-party.

Conclusion

Lack of progress in resolving the crisis in Kashmir is attributable in large measure to a lack of strategic thinking on the part of all major aboveground parties to the conflict. The military establishments of India and Pakistan, Indian political leadership at both the central and state level and in both the governing party and its major rivals, the leaders of the extragovernmental Hurriyat conference and the Hizb-ul Mujaheddin insurgents to whom they claim to represent a bridge – all

are focused on short-term tactical maneuvers at the expense of long-term strategic planning. The underground party to the dispute, the radical, rejectionist jihadi wing of the militancy, is the only faction that seems to be gearing its operations towards a concrete long-term strategic goal.

One key piece of the puzzle – perhaps the most important piece of all – remains missing: the Pakistani ISI, whether tightly controlled by Gen. Musharraf or operating as a rogue outfit. Whether ISI is under Musharraf's effective command is one question beyond the scope of this paper. Why it, or he, is conducting policy along current lines is another. For the sake of argument, let us assume that ISI is following orders given to it by Musharraf, and that the policies undertaken by the intelligence agency in support of the militancy in Kashmir and elsewhere are the result of top-down executive decision rather than ad hoc freelancing by agents within the organization. What would this imply about the level of tactical or strategic thought at the very highest levels of the Pakistani military and political establishment?

Any claim that ISI (and Musharraf) have broken off support for the jihadi groups would be difficult to sustain. In the realm of unclassified material, perhaps the clearest evidence for continued support – from political and intelligence authorities alike – is the fact that Maulana Azhar remains a free man; the unrepentant founder of a group banned as a terrorist organization by Musharraf himself, Azhar makes no secret of his past, present and future. The question is not whether ISI has severed its connections to groups with agendas potentially dangerous to Pakistan's own national security, but *why* it has chosen not to do.

Unfortunately, there is not enough public-source information available to make a reliable judgment on this question. The decision by Jaish-e Muhammad, Lashkar-e Taiba and similar groups to expand operations beyond Kashmir was a rational one from these organizations' own strategic viewpoint – but would seem a supremely irrational one in advancing the strategic interests of their traditional patrons in Pakistan. The attack on India's parliament, for example, was manifestly against the interests of Pakistan's leadership and population: it placed Musharraf in a very difficult political situation, exposed his military to the prospect of a potentially humiliating conventional showdown, and set Pakistan on an escalator towards nuclear warfare that relied on external actors (US diplomacy) to avert an unspeakable catastrophe.

Perhaps the ISI is still hoping to calibrate its support for the jihadis, as it has aimed to do throughout the course of the insurgency. Perhaps

Musharraf recognizes that he is playing with fire, but is sufficiently confident of his skills to have faith that he can juggle flames without getting burned. Perhaps the dramatic incidents cited above were all the work of jihadis acting beyond the control of their ISI handlers, yet Musharraf has decided that cutting the radicals off or locking them up would be more dangerous to his regime than any threat posed by Indian weaponry.

The parties to the conflict in Kashmir fall into two categories: those with a very dangerous strategy (the radical jihadis), and those with no clear strategy at all (just about everyone else). Which camp Musharraf and the ISI fall into remains to be seen.

NOTES

1. More detailed observations from this period can be found in Jonah Blank, "Kashmir: Fundamentalism Takes Root," *Foreign Affairs* Vol. 78, No. 6 (November/December 1999), pp. 36–53.
2. There has been little more strategic thinking on the part of India's paramilitary/counterinsurgency units than of the conventional military. Direction – or lack of direction – for these bodies comes from political authorities more than from military ones, so it is not addressed in this section. There seems little likelihood, however, that New Delhi will countenance the disbanding the Special Operations Group units, or the renegades (former insurgents now working for the government), or the other paramilitary groups responsible for the bulk of human rights abuses in Jammu & Kashmir. A bold initiative of this sort could break the political ice and earn considerable goodwill from the state's population – but it could also clear a path for the insurgents to rebuild their strength.
3. Advani quote: Kenneth J. Cooper, *The Washington Post*, May 19, 1998, p. 15. As Home Minister and government point man on Kashmir – and as ideological heavyweight of the BJP – Advani was one of the top two decisionmakers in the government even before his official elevation to the post of Deputy Prime Minister on June 29, 2002. When pressed as to whether "hot pursuit" would include crossing the LoC, Advani specifically refrained from ruling the option out ("India Roll Back Proxy War," *The Hindu*, May 19, 1998).
4. *The Hindu*, February 8, 1998. The plural "occupations" refers to the territories held by China as well as Pakistan.
5. I was part of a US government fact-finding team that visited Gultari, and the site of the alleged attack approximately 1,000 vertical feet above this post, on August 30, 2002. Since the US government assessment of the incident remain classified, I cannot provide further evaluation of competing Indian and Pakistani accounts, or more extensive details of my personal observations.
6. Indian National Security Advisor Brajesh Mishra called Pakistan's charge a "total fabrication" (Amy Waldman and David Rohde, *The New York Times*, August 24, 2002, p. 4). Defense Minister George Fernandes said, "This is a grand lie. There cannot be a bigger lie than this" (Rama Lakshmi, *The Washington Post*, August 24, 2002, p. 16). Similar denials were repeated to me by Indian military officials in Srinagar on December 30, 2002.
7. Stephen P. Cohen, *India: Emerging Power* (Washington: Brookings Institution Press, 2001), p. 216.
8. The most significant incident occurred on May 27, 1999, when Indian Flight Lieutenant K. Nachiketa was shot down and captured by Pakistani forces. Pakistan claimed that Lt. Nachiketa's MiG-27 was downed on the Pakistani side of the line, while India claimed that the jet had been shot down on India's side. A second MiG sent to lend aid was also downed, and the pilot killed (*Agence France Press*, June 5, 1999; *Associated Press*, June 4, 1999; initial statements from Delhi had attributed both crashes to mechanical causes).

- Delhi's reluctance to take credit for cross-LoC air action even under conditions of extreme Pakistani provocation demonstrates the seriousness with which decisionmakers regard the sanctity of the line.
9. There are possible explanations midway between the Pakistani allegation and the Indian denial: as unofficial sources in Delhi and Srinagar have suggested to me, a bomb can land on the Pakistani side of the LoC without having been dropped on the Pakistani side. This scenario would indicate a level of Indian aggressiveness significantly short of deploying air assets across the LoC, but significantly exceeding previous Indian norms.
 10. The US diplomatic presence in Pakistan had already been scaled down and dependents sent home, due to ongoing threats posed by Al Qaeda and other anti-American terrorist groups in that country.
 11. A useful comparison with a point of high tension predating the Kashmir insurgency can be found in the "Brasstacks" crisis of 1987. For a full discussion, see Kanti Bajpai, P. R. Chari, Pervaiz Iqbal Cheema, Stephen P. Cohen, and Sumit Ganguly, *Brasstacks and Beyond: Perception and the Management of Crisis in South Asia* (New Delhi: Manohar, 1995). For a discussion of a crisis point shortly after the insurgency began, see Michael Krepon and Mishi Faruque, eds., *Conflict Prevention and Confidence-Building Measures in South Asia: The 1990 Crisis*, Occasional Paper No. 17 (Washington: The Henry L. Stimson Center, 1994).
 12. Press Trust of India, January 2, 2003.
 13. Press Trust of India, January 7, 2003.
 14. The BJP had led a previous coalition in May 1996, but the government lasted a mere thirteen days. For discussion of BJP's ideological aversion to the core principles of Nehruvian secularism, see Blank, "Ram and Ram Rajya: The Babri Masjid/Ramjanambhumi Dispute and the Politicization of a Divinity," *Journal of Vaisnava Studies* Vol. 2, No. 4 (1994), pp. 159-74.
 15. For a descriptions of the human rights situation that fueled the insurgency throughout the 1990s, see Asia Watch and Physicians for Human Rights, *Kashmir: A Pattern of Impunity* (New York: Asia Watch, 1993); Human Rights Watch/Asia, "India's Secret Army in Kashmir: New Patterns of Abuse Emerge in the Conflict," *Human Rights Watch/Asia Report* Vol. 8, No. 4 (May 1996); and Paula R. Newberg, *Double Betrayal: Repression and Insurgency in Kashmir* (Washington: Carnegie Endowment for International Peace, 1995). For an open-source intelligence assessment during the period when the insurgency was still predominantly home-grown, see Anthony Davis, "The Conflict in Kashmir," *Jane's Intelligence Review*, Vol. 7, No. 1 (1995), pp. 41-46. For an outline of the impact of Pakistan's Kashmir policy on US-Pakistani relations during the 1990s, see Dennis Kux, *Disenchanted Allies: The United States and Pakistani, 1947-2000* (Washington: The Woodrow Wilson Center Press, 2001), pp. 304-26.
 16. For a discussion of the political and military aspects of the 1971 conflict, see Sumit Ganguly, *Conflict Unending: India-Pakistani Tensions Since 1947* (New York: Columbia University Press, 2001), pp. 51-78.
 17. As observers in Srinagar pointed out to me, the elections were fair, but they were not wholly free: many voters cast their ballots under the compulsion of security forces. With heavy intimidation from militants (over 700 deaths were recording in the weeks preceding and during the polling), an election that was entirely free would probably not have been fair.
 18. For a discussion of the role of Shaikh Abdullah in the solidification of the National Conference as the predominant voice of popular sentiment in the Valley, see Ian Copeland, "The Abdullah Factor: Kashmiri Muslims and the Crisis of 1947," in D. A. Low, ed., *The Political Inheritance of Pakistan* (New York: St. Martin's, 1991).
 19. A splinter of the JKLF (rumored to have been tacitly supported by Indian intelligence agencies) refused to accept this decision, and was wiped out by Indian security forces after seizing Hazratbal shrine in 1996.
 20. On this trip to Kashmir, my first since the US election of 2000, several people suggested sending outside polling observers to monitor the next American general election. Humor aside, the irregularities of the 2000 Florida vote - irregularities serious and pervasive enough to cast doubt on the outcome in the minds of at least a significant portion of the electorate - are a stark reminder that no nation is immune from the difficulties of a flawed polling process.

21. Personal meeting with author, Srinagar, December 28, 2002.
22. Personal meeting with author, Srinagar, December 30, 2002.
23. On July 24, 2000 Abdul Majid Dar, announced a three-month unilateral ceasefire in a surprise press conference in Srinagar. (Vinay Kumar, "India: Shortcomings in Peace Dealings," *The Hindu*, August 14, 2000). While Delhi deliberated on how to respond, Syed Salahuddin, came under strong pressure from other militant groups and the ISI to renounce the offer. The Indian government, with some justification, blames the ceasefire's failure on splits within Hizb - but if Delhi had handled the situation better, it may have separated the hard-core militants from those willing to make a transition to unarmed advocacy. This is precisely what happened with the JKLF in the mid-1990s: the mainstream of this militant group followed Yasin Malik in giving up the gun, and Indian security forces were able to neutralize the remainder after their ill-fated seizure of Hazratbal shrine on March 24, 1996.
24. Some of the specific potential solutions are outlined in Sumit Ganguly, *The Crisis in Kashmir: Portents of War, Hopes of Peace* (Washington: Woodrow Wilson Center Press, 1997), pp. 131-50. For a discussion of shared sovereignty - one of the possible solutions most often mentioned by Hurriyat leaders off-record - see Joseph E. Schwartzberg, "An American Perspective II," *Asian Affairs* Vol. 22, No. 1 (Spring 1995), pp. 71-87.
25. For a discussion of the overall context of the Siachen stalemate, see Rascal S. Khosa, "The Siachen Glacier Dispute: Imbroglio on the Roof of the World," in *Contemporary South Asia* Vol. 8, No. 2 (1999).
26. I refrain from noting the date of the interview, to avoid revealing in which army the officer served. General staff officers in both armies, however, made similar comments.
27. In planning my return from Gilgit (regimental headquarters of the FCNA) to Islamabad, a liaison officer proposed scheduling my departure for the same day as my onward flight out of the country. I reminded the officer that any flight planning would have to take account of the distinct possibility of cancellations due to bad weather: three of the daily Gilgit-Islamabad flights had been cancelled this very week, so we would have to allow an extra day in case weather necessitated land travel. He insisted that contingency planning was unnecessary: flying is quicker than driving, and weather something we cannot control. I considered the fact that this officer might soon be promoted soon to general staff, and suddenly Kargil made sense.
28. Following customary usage in Kashmir, I here use the term "jihadi" to refer to militants engaged in a religiously toned (rather than nationalistic) struggle, and one whose goals are pan-Islamic rather than limited to Kashmir. This usage does not suggest that such groups are engaged in legitimate jihad, which (as many moderate observers correctly point out) is a term best translated as "struggle" rather than "holy war." There is often no clear-cut way of distinguishing jihadi and non-jihadi elements in the militancy: during its armed phase, the JKLF was perhaps the only major group to espouse secular nationalistic goals, but for the purposes of this essay, Hizb-ul Mujaheddin (which heads the United Jihad Council) can be considered a non-jihadi group, as its goals and most of its membership are Kashmiri rather than pan-Islamic. Any such nomenclature, like the similarly loaded terms "terrorist," "militant," or "insurgent," is of necessity imprecise and open to legitimate challenge.
29. The Muttahida Majlis-i-Amal (MMA)'s unexpectedly high vote tally translated into even higher seat allotment: 18% of seats in the central assembly, control of the legislature in the Northwest Frontier Province, and leadership of the governing coalition in Baluchistan. Many outside observers echoed the European Union's pronouncement of the electoral process as "seriously flawed." Several elements of the October 10, 2002, elections served to inflate the religious parties' success artificially. Even apart from widespread allegations of poll-rigging on behalf of MMA candidates and the unusual situation of an anti-secular backlash stemming from the presence of American troops in Pakistan fighting a campaign in neighboring Afghanistan, two uncontested factors gave the MMA a clear boost: first, the leaders of the two main secular parties were prevented from entering the country to campaign for office; second, Musharraf's banning of candidates unable to document a college degree was applied to graduates of secular institutions but not of madrasas. For a more complete discussion, see Teresita C. Schaffer and Mandavi Mehta, "Two Elections: New Hopes, Old Frustrations," *Center for Strategic and International Studies, South Asia Monitor*, November 1, 2002. Ahmed Rashid,

- "Pakistan: A Fine Fix," *The Far Eastern Economic Review*, October 16, 2002.
30. Evaluation of the current strength of Islamist parties in Bangladesh is based on author interviews with Bangladeshi analysts, journalists, and political workers in Dhaka conducted December 26–27, 2002.
 31. The first major operation of this sort, a December 22, 1999, assault on Delhi's Lal Qila by Lashkar-e Taiba, is not singled out for discussion since it was successfully thwarted by security forces.
 32. The militant group Harkat-ul Ansar renamed itself Harkat-ul Mujaheddin after being placed on the U.S. State Department's list of Foreign Terrorist Organizations. It had already given rise to several radical splinter groups even more radical, like Al-Farhan, a previously unknown group claiming responsibility for the kidnapping and murder of several Western tourists in Kashmir in 1995. Whether these splinter groups were truly separate organizations or merely cover names for members of Harkat remains open to dispute.
 33. Pakistani authorities denied the flight permission to land, but the hijackers put down in Lahore long enough to refuel. Peter Popham, "The Unimaginable Hell of Flight 814," *The Independent* (London), December 30, 1999.
 34. The closeness of operational contact between Harkat and the Taliban was demonstrated by the August 1998 cruise missile attacks by US forces on Al Qaeda bases in Afghanistan. The training camp that suffered the greatest damage in these attacks was run by Harkat-ul Ansar. It is worth observing that after his release, Maulana Azhar found refuge not in Afghanistan, but in his native Pakistan. On ties between the Taliban and jihadi groups throughout the region, see Ahmed Rashid, *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia* (New Haven: Yale University Press, 2001).
 35. Celia W. Dugger, "Suicide Raid in New Delhi," *The New York Times*, December 14, 2001, p. 1.
 36. Maulana Azhar had been jailed in India since 1994. After his release, Azhar assumed leadership of Jaish-e Muhammad, a new Harkat-ul Mujaheddin offshoot, and has been unrestrained in his public advocacy of suicide attacks Indian and American targets since then. Placed under house arrest after Musharraf's January 12, 2002, speech, Azhar continues to claim credit for the October 1, 2001, suicide attack on the Srinagar assembly house. Lashkar-e Taiba leader Hafiz Muhammad Saeed has been similarly unrepentant; he was released from house arrest in October 2002.
 37. The circumstances of the February 27, 2002, railway carriage attack remain in dispute: most reporting attributes the conflagration to a firebomb tossed when the carriage passed through a Muslim neighborhood outside the station, but some reports suggest it may have been due to an accidental fire caused by an overturned cooking stove. Official sources put the death toll of the subsequent riots at 1,000, but other credible sources (including human rights groups and several European governments) deem 2,000 a more realistic figure (*The Economist*, December 7, 2002).
 38. As I discuss the phenomenon of religious violence in South Asia elsewhere, I will not repeat my comments here. See Blank, *Mullahs on the Mainframe: Islam and Modernity Among the Daudi Bohras* (Chicago: University of Chicago Press, 2001), pp. 262–82. A few of the more important works on this vital topic include Stanley J. Tambiah, *Leveling Crowds: Ethnonationalist Conflicts and Collective Violence in South Asia* (Berkeley: University of California Press, 1996); Ashutosh Varshney, *Ethnic Conflict and Civic Life: Hindus and Muslims in India* (New Haven: Yale University Press, 2002); and Mark Juergensmeyer, *The New Cold War? Religious Nationalism Confronts the Secular State* (Berkeley: University of California Press, 1993). For a Subaltern view of the colonial roots of communal violence, see Gyan Prakash, *The Construction of Communalism in Colonial North India* (New Delhi: Oxford University Press, 1990).

Abstracts

India's "Potential" Endgame in Kashmir, by Amitabh Mattoo

This article presents an Indian view of the endgame in Kashmir. It seeks to answer two essential, if prosaic, questions: Does India have a plan for the final settlement of Jammu and Kashmir? If so, what are its essential elements? While there may not be a publicly discernable Indian game-plan, there is the possibility of durable peace in Kashmir. Events subsequent to the Kargil war of 1999, the terror attacks against America on September 11, 2001, and a shift in international public opinion regarding Kashmir all provide an opportunity for India settle the Kashmir question. These factors are, however, rooted in deeper changes within the Indian polity, including the growing consensus on economic and political decentralization and an ambition to increase India's international influence, which may increase India's willingness to commit itself to a potentially more long-term and imaginative course for its Kashmir policy.

Pakistan's Endgame in Kashmir, by Husain Haqqani

Although Pakistani leaders often describe the dispute over Kashmir as the "core issue" between India and Pakistan, Pakistani policy is driven by a deeper fear of India and about Pakistan's national identity. Pakistan's approach to the resolution of the Kashmir dispute has been characterized by a series of tactical moves, lacking a coherent strategy or a planned end game. Only a sustained peace process can address the multiple factors that give rise to Indian and Pakistani suspicions about each other's intentions and Pakistani tactics designed to prolong the conflict in the hope of eventually altering the *status quo*. Pakistan does not have a clearly thought out endgame in Kashmir and attending to its insecurities could be one of way of ensuring the emergence of a realistic endgame without violence.

Terrorism in Jammu and Kashmir in Theory and Practice, by Praveen Swami

This article argues there is a need for a more nuanced analysis of terrorism in Jammu and Kashmir than has been available so far. First,

the popular legitimacy of violent groups has little bearing on their operation. Rather, the keys to the intensity of terrorist activity are held by Pakistan's military establishment. Second, the supposedly secular-nationalist movement of the early 1990s was in fact deeply Islamist in character; there has been a greater unity of thought underpinning terrorism than the literature admits. Finally, the article argues, the operation of terrorism needs to be read not simply in the limited context of Jammu and Kashmir, but as part of a larger South Asian crisis of identity.

US Policy and the Kashmir Dispute: Prospects for Resolution,
by Devin T. Hagerty

Washington refuses to chart a roadmap for peace in Kashmir. Although the chances for resolving the dispute are low, the probability of failure should not inhibit the US government from pursuing a more proactive role in resolving the conflict. The United States is the "sole pole" in a unipolar international system; regarding the world's thorniest disputes, it either leads or bears the brunt of its own passivity. Leadership requires more than devising policies that are guaranteed to work; it also involves taking risks on bold initiatives that may fail, but whose unlikely success would produce greater stability in global affairs. This article examines the admittedly slim prospects for settling the Kashmir dispute and the role Washington might play in such a process. It argues that only one conflict-resolution option seems even remotely viable: a phased conversion of the existing Kashmiri Line of Control into an internationally recognized Indo-Pakistani border.

Politics, Proximity, and Paranoia: The Evolution of Kashmir as a Nuclear Flashpoint,
by Timothy D. Hoyt

This article traces the evolution of Kashmir as a "nuclear flashpoint," and the relationship between Kashmir, nuclear weapons, and regional security. The first section discusses the concept of a geopolitical flashpoint, providing a definition and a series of historical examples. The Kashmir issue and its role in the broader Indo-Pakistani conflict fit reasonably neatly into this definition. A second section briefly traces the history of nuclear weapons programs in the region, as the potential for nuclear escalation by competing powers or their allies is a key factor in defining *nuclear* flashpoints (a post-1945 phenomenon). The third

section examines the evolution of the Kashmir issue and successive Indo-Pakistani crises within a nuclearized regional environment from 1984 to 2003. The final section assesses the prospects for Kashmir in the near future, and concludes that due to underlying political factors, Kashmir will remain a nuclear flashpoint for the foreseeable future.

Kashmir and Tibet: Comparing Conflicts, States, and Solutions,
by Carole McGranahan

Five decades of conflicts in Kashmir and Tibet continue into the twenty-first century without clear signs of resolution. This article focuses on issues of collective rights, national identity, and state sovereignty in these two conflicts to ask what political recourses exist for Tibetans or citizens of Jammu and Kashmir in today's changing world. As citizens of differently organized states and subjects to dissimilar conflicts, what methods and types of conflict resolution might Tibetans and Kashmiris have shared access to? Both of these post-WWII conflicts have been framed and defined by the two core states involved, India and China. Analytically, therefore, this article draws on anthropological and political constructivist work on the state to suggest possible non-violent, community-oriented solutions to these conflicts.

Kashmir: All Tactics, No Strategy,
by Jonah Blank

Despite a recent deescalation of military tensions and the fairest election in more than two decades, Kashmiris do not express much optimism about their future. If this skepticism is justified, perhaps it is due to a near-universal emphasis on short-term tactics at the expense of long-term strategy. Virtually all parties to the conflict in Kashmir – whether based in New Delhi, Islamabad, Srinagar or Muzaffarabad, seem to be thinking tactically rather than strategically. The one notable is the most implacable segment of the jihadist militants: all the more reason to be pessimistic.

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Index

(bold print indicates a table)

- Abdullah, Farooq 4, 26, 64, 183, 187, 189
 Abdullah, Sheikh Mohammed (leader of Jammu and Kashmir National Conference) 2-4, 40, 46, 85, 161, 187
 Abdullah, Umar (son of Farooq) 187
 Advani, L. K. 177, 184, 186
 Afghanistan 8-9, 55, 79, 98
 Afghans, Lashkar-e Tayyba and 25
 Agra, failure of negotiations after Kargil War (2000) 133
 "Agreement Between Military Representatives of India and Pakistan Regarding the Establishment of a Cease-Fire Line in the State of Jammu and Kashmir" see Karachi Agreement
 "Agreement of the Central People's Government and the Local Government of Tibet for the Peaceful Liberation of Tibet" see Seventeen-Point Agreement
 Ahl-e-Hadis' ultra-conservative Gorba faction 80
 Ahmad, Waqar, operation K2 and 81
 Akbar, Wasim, shot dead by SOG (2001) 83
 Akram, Munir (Pakistan Ambassador to UN), statement by 134-5
 Akshardham Temple attack (2001) 85, 197
 al-Badr 59
 al-Qaeda, ETIM and 147
 Alam, Shoaib 83
 All India Services, Article 312 of 18
 All Jammu and Kashmir Muslim Conference (pro-Pakistan) 38, 40
 All Party Hurriyat Conference (APHC) 12, 16, 163
 primary demand 191-2
 represents Kashmiris on both sides of LOC 188-90
 short-term tactics 197-8
 All-India war 79-86
 Alsace-Lorraine, flashpoint (1870-1945) 118-19, 121
 Amnesty International 46-7, 147-8
 Anagnost, Ann 165
 Anderson, Benedict 151
 Ansari, Aftab, attack on US building in Kolkata 84
 Ansari, Jalees 80
 anthropology of the state, analytical orientations 150-53
 Armitage, Richard (US Secretary of State) 105, 184
 arms control 91
 subset of confidence-building 93
 autonomy, high-level study group six point plan 17-18
 Azad (Free) Kashmir 93
 Azhar, Maulana Masood (jihadi leader) 81-2, 84, 195-6, 198
 Babbar Khalsa International 81
 Babri Masjid, demolition (1992) 80
 Badal, Chandrashekhar 16
 Badal, Prakash Singh 16
 Bahajib, Hamid 80
 Baig, Bilal Ahmad 82
 Baig, Hilal Ahmad 82
 Baig, Mirza Afzal 4
 Bajrang Dal (Hindu group) 197
 Bangladesh 43, 97, 109, 124, 195
 Bangladesh Nationalist party 195
 Bangroo, Mohammad Abdullah (Hizb-ul-Mujaheddin terrorist) 55
 Basu, Jyoti 16
 Beck, Martijn van 164
 Beijing see China
 Belgian neutrality, intervention against Germany (1914) 118
 Bell, Charles, suggested plebiscite for Tibet 173
 Berlin (East and West Germany), nuclear-related crises 121
 Bhabha, Homi 124-5
 Bharatiya Janata Party see BJP
 Bhat, G.M. (Jamaat-i-Islami) 190
 Bhatt, Prof. Abdul Ghani 189
 Bhiwandi riots (1985), massacre of Muslims 80
 Bhutto, Benazir 47, 51, 127, 130
 Bhutto, Zulfikar Ali 3, 28, 43, 127
 BJP party 17, 133, 183, 185-8, 197, 200n.14
 BJP-allied National Conference in Srinagar 185
 Blank, Jonah 12
 Border Security Force (BSF) 46
 "Brasstacks" 129
 British colonial withdrawal from India (1947) 1
 British India, British Crown and 1
 Bush administration, talks with Indian/Pakistan (1990) 99
 Bush, President George W. 9, 130, 136
 Butt, Mohammad Maqbool 57

Carter, President Jimmy 98
 CCP 157, 166
 "Cease-Fire Line" (CFL) 2, 4, 28, 42
 Central Reserve Police Force (CRPF) 46
 attempted murder of constable 57
 CFL/LOC, de facto border for 50 years
 27-8
 Cheema, Azam 83
 China 11, 100, 124
 boundary disputes with India 145
 categories of exclusion in 161
 considers Tibet as internal affair 153
 construction of railway to Lhasa 169-70
 growing influence in Asia 103
 Han population 152, 166
 India and Pakistan attempt to manipulate
 136
 Leninist models of state-socialism unity
 160
 Lop Nor nuclear tests (1964) 125, 127
 "minority nationalities" and 165
 offered help to US after September 11 147
 organized around principles of
 sovereignty 150
 plans to further develop Tibet 169
 rationale for Indian nuclear policy 126
 road (1957-58) in Aksai Chin region of
 Ladakh 148
 terrorism and separatism in Xinjian and
 Tibet 147
 UN Security Council and 159
 Chinese Communist Party *see* CCP
 Chinese People's Liberation Army *see* PLA
 CIA 94, 98
 Clinton, President Bill 9, 23
 called Vajpayee and Sharif (June 14-15)
 101
 meeting with Sharif in Washington 102
 "sanctity" of the LOC (1999) 108
 urging bilateral negotiations between
 India and Pakistan 103
 visit to India 24, 31n.23
 communalism 164-5
 confidence-building measures 91-3
 conflict management 91-3
 conflict resolution 91
 Congress Party,
 candidates branded "soft on terrorism" 188
 Dr. Khan and 37
 electoral malpractices 9
 Farooq Abdullah and 4
 mismanagement in Kashmir (1980s) 185
 Mufti Muhammad Sayeed and 187
 cooperative federalism 17
 Craner, Lorne 148
 Crossmaglen flashpoint 121-2
 Cuba, nuclear-related crisis 121

Cuba and Berlin, ideological differences as
 flashpoints 118
 cultural rights, national identity and the
 multiethnic state 162-7
 Cyprus, Greco-Turkish military conflict
 with threat to NATO 122
 Dalai Lama,
 addressed South Asia Peace Conference
 (2001) 174
 birthday celebrations forbidden in Nepal
 (2002) 149
 fled Lhasa (March 1959) 157
 heads of state willing to meet with 159
 July 1951 began return journey to Lhasa
 157
 left Lhasa (16 December 1950) 156
 main concern is ending killing in Kashmir
 175
 meaningful autonomy and 170-71
 policy of nonviolence 147, 173
 repudiated seventeen-point agreement 157
 status quo and exile of 169
 Tibetan government-in-exile 154, 157-60,
 162, 166, 170, 172
 travels in the West in (1970s) 158
 Dar, Abul Majid (Hizb's operational
 commander) 191, 201n.23
 Dar, Ali Mohammad (Burhanduddin Hijazi)
 82-3
 Dar, Farooq Ahmad (Bitta Karate) 75
 Das, Veena 163, 165-6
 decentralization 17, 22
 demilitarization of Tibetan plateau 170
 Deng Xiaoping, olive branch to Tibetan
 people and Dalai Lama 158
 Deoband Ulema 81, 88n.53
 Dhonup, Lobsang (Tibetan), executed in
 China 146-8, 160
 Dixon, Sir Owen (UN mediator) 21, 95

 East Pakistan, loss of (1971) 7
 East Turkestan Islamic Movement *see* ETIM
 Entry into Force provisions of
 Comprehensive Test Ban Treaty 125
 Eretz Israel including West Bank, flashpoint
 120
 ETIM 147-8

 Farooq, Mirwaiz Mohammad (Srinagar
 religious leader) 55, 76, 174
 Farooq, Mirwaiz Umar (top Hurriyat
 leader) 190-91
 Fazl-e-Karim, arrested by West Bengal
 Police 85
 Fazlur-Rahman (Harkat-ul-Mujaheddin)
 argument 78
 fear, security-motivated concern 119-20

Fernandes, George (Indian Defense
 Minister) 102, 133, 148, 185
Flames of the Chinara passage 74-5
 flashpoint,
 definitions 118-19
 honor and 120
 interest and 120-21
 Kashmir as geopolitical 123-4
 paranoia 122-3
 politics and 119-20
 proximity 121-2
 Foucault, Michel 151

 Gada, Abdul Hamid, killing of Pandits at
 Wandham 56, 77
 Gandhi, Indira (PM India) 3
 Bhutto, Zulfikar Ali and 28, 43-4
 Gandhi, Mohandas, fast in (January 1948) 36
 Gandhi, Rajiv (Indian PM) 129
 Ganguly, Sumit 149
 Gates, Robert 99, 130
 Gauhar, Altaf 43
 Geelani, Syed Ali Shah 77-8, 189, 190
 Germany (during Cold War), division as
 flashpoint 118
 Ghauri, Azam (Lashkar-e-Taiba-based unit
 in Andhra Pradesh) 80, 83
 global rise of modern nation 166
 globalization, challenges to state-based
 sovereignty 154
 Godhra, railway carriage attack (February
 27, 2002) 197
 Golan Heights, flashpoint between Syria
 and Israel 119
 Gorbachev, President 130
 Graham, Frank (former US Senator) 95-6
 Gramsci, Antonio 151
 Green Army (Pakistani organization) 74
 Gujarat, anti-Muslim pogroms 197
 Gujral, Inder Kumar 16
 Gultari, bomb crater 183-4, 200n.11
 Gultari and Haider Ridge, Indian aggressive
 activity (August 21-23, 2002) 183

 Hagerty, David 8-9
 Hainan spy plane incident (2001) 103,
 115n.69
 Hansen, Thomas Blom 150
 Haq, General Ziaul, "liberation struggle" in
 Kashmir and 45
 Haqqani, Husain 6-8
 Haqqani, Jalaluddin (Hizb-e-Islami) 79
 Harkat-ul-Ansar 58, 81, 196
 Harkat-ul-Jihad-i-Islami 58-9, 65, 81
 Harkat-ul-Mujaheddin 58, 65, 163
 Harkat-ul-Mujahideen 55, 65, 81, 148
 Harriman, Averell 96

Harriman-Sandys mission in Kashmir, effect
 of failure of 96
 Hashim, Amir 80
Hawala operators, Dar's death and 83
 "healing touch" policy 67, 69, 187
 Hersh, Seymour 136
 Hindu festival of Janmashtami, restrictions
 on sale of meat 74
 "Hindustan" 36
Hindutva forces 7, 10, 51, 84, 186
 Hizb cadres, opposed Islamic code of
 conduct (1992) 56
 Hizb-ul-Mujaheddin 55-6, 59, 65, 74, 82, 83
 armed group composed of Kashmiris 189
 focuses on Jammu and Kashmir 195
 insurgency would lose legitimacy without
 191
 short-term tactics 197-8
 Hizbul Mujahideen 16, 163
 Hoffman, Paul 95
 Hoyt, Timothy 10-11
 human rights 162-3
 Hussain, Mohammad Faisal 83
 Hussain, Zahid 83
 Hyderabad 37-8

 ideological hegemony state of state 152
 "imagined community" 166
 incumbency state of state 152
 India,
 airforce trying to dislodge insurgents
 (1999) 101
 ambition to increase influence in
 international system 14
 articles of the constitution 18
 attack on parliament (December 13, 2001)
 5, 9, 49-50, 79, 103, 133, 196, 198
 attitude to Kashmir
 central government and 185-7
 military forces 182-5
 other political parties 187-8
 "Brasstacks" military exercises (1986-87)
 129-30
 categories of exclusion 161
 civic polity 1
 conceding Kashmir is reaffirming
 religious-based nationalism 35
 constitution for Jammu and Kashmir 3
 Constitution provides cultural rights to
 minorities 164-5, 167
 control over parts of state secured in first
 Kashmir war 40
 cordon-and-search operations 46
 cultural groups and central state 163
 defeat in (1962) China war 96, 124
 delayed transferring Pakistan's share of
 assets 36

- deployed army to border positions (December 2001) 104
 endgame for resolving conflict in Kashmir 14
 factors responsible for shift in policy 13
 infiltration of insurgents over LOC 134
 infiltrators on Indian side of LOC (1999) 100
 LOC as international boundary and Kashmir problem 101
 Memorandum of Understanding in science and technology (1985) 98
 nuclear program (1940) 124-5
 nuclear tests (1998) 10, 24, 49, 99, 126, 130-31, 183
 Pakistani prisoners of war (POWs) and 43 plan for problems of Jammu and Kashmir 14
 poor government in Kashmir led to insurgency (1989) 128-9
 rebellion of Islamic militants in Kashmir (1989) 98
 rise of *Hindutva* (Hindu nationalism) 51
 secular federalist state and unity 160
 should thin out military presence in Kashmir 110
 Soviet camp (1970s) 124
 support for restraint over LOC 23
 testing showed nuclear-capable forces against Pakistan 133-4
 thinking tactically 182
 India and Pakistan,
 (1947) partition 34
 (1947-48) war 39
 (1965) war over Kashmir 96
 (1971) war in East Pakistan, founding Bangladesh 3, 43, 97
 absence of peace process and 51
 clashes between weekly ritual 118
 conflict not solely a territorial dispute 149
 crisis (2002)
 nuclear lessons of not assimilated 136
 willingness to rely on US intervention 135
 deadlocked over Kashmir 1, 14, 26
 deterrence has failed 50
 fear of nuclear war between 49
 Kashmir most likely arena of conflict between 137
 military planners mirror images of each other 182
 "mini-max" analysis 106-7
 nuclear crises and war on terrorism 138
 peace when Kashmir issue resolved 77
 possess nuclear weapons but have no "red lines" 50
 relations
 Gandhi fast (January 1948) 36
 Islamic militancy in recent years 49
 Kashmir and 6-7, 52
 not important to US during Cold War 94
 short-term tactics 197-8
 should further demilitarize in Kashmir 111
 should reaffirm Simla agreement 110
 Siachen glacier posts and 12, 27, 132, 193-4
 three wars in 54 years 49
 troops along the Line of Control in Kashmir 5
 war described as "low-intensity conflict" 56
 India/China border, flashpoint 124
 Indian Administrative Service (IAS) 18-19
 Indian Airlines hostages-for-prisoners swap (1999) 72, 81, 195-6
 Indian Forest Service (IFS) 19
 Indian Kargil Review Committee Report (1991) 131
 Indian Police Service (IPS) 18-19
 Indian Supreme Court 16
 India's Draft Nuclear Doctrine (DND) 132-3
 India's Foreign Minister, Pakistan's nuclear status and 112
 India's "New" Kashmir Policy 15-16, 29
 admission of mistakes step toward restoring trust between New Delhi and Kashmir 19-20
 autonomy not a dirty word 17-19
 climate of change 22
 international public opinion 22-4
 role of civil society 26
 sentiment against violence, foreign militants and Pakistan 24-5
 sentiment for autonomy 25-6
 must be dealt with as special case 16-17
 recovery of Kashmiriyat vital to sustained peace 20
 regional balance vital 20-22
 Indo-Israeli discussions, Pakistan's Kahuta weapons facility 128-9
 Indonesia, East Timor and 168-9, 173
 Instrument of Accession, signed by Maharaja Hari Singh 2, 153
 insurgent groups, partition and adversary territory 121
 Inter-Services Intelligence *see* ISI
 international politics, honor as crucial variable 120
 Iraq, failure to honor international commitments 120
 Ireland, flashpoints 118, 120-22
 ISI 81, 86, 191, 198-9
 Islam and other religions, sensitivity between 138
 Islamabad *see* Pakistan

- Islamic Oikya Jote party, Bangladesh and 195
 Islamic insurgency, transnationalization 99, 197
 "Islamic" and "radical," not synonyms 109
 Islamists 45, 55-6, 71, 76, 109
 linked local conflict to communal identity 85
 Pakistan and Afghanistan 79-80
 welfare activities and recruitment 84
 Israel/Palestine as flashpoint 118
 Jaish-e-Mohammad 55, 58, 65, 77-8, 81, 105
 attacked Jammu and Kashmir legislative assembly 103
 Kashmir one theater in wider war 195
 leaders released in Pakistan (March 2001) 105
 now called Tehreek Kudam-ud-Din 71
 operations beyond Kashmir 198
 US list of terrorist organizations and 104
 Jamaat-e-Islami 77, 190, 195
 Jamaat-ud-Dawah (formerly Markaz Dawat wal'irshad), convention in Patoki 71
 Jamaat-ul-Mujaheddin 59
 Jammu 6, 9, 162
 Jammu and Kashmir,
 Article 370 of Indian Constitution 154, 170
 BJP and 17
 "Delhi Agreement" (1952) with India 160-61
 division along present LOC may be realistic 27
 economic structure 73
 foreign militants damaging cause 25
 how Governor is perceived 18
 human rights violations by Indian army 46-7
 India unwilling to accept mediation (1965) 42
 Indian military success and ordinary people 64
 Indian paramilitary forces in (May 2002) 134
jihad, first battle in war for defense of Islam 79
 killings (1988-2002) 61
 little popular support for militancy 16
 Nehru's design for 38
 Pakistan supporting insurgents from within 46
 Pakistani jihadis operating in 77, 79
 Pakistan's first ad hoc move 37
 part of larger south Asian communal conflict 10
 promise of special status (1947) 46, 167
 rapes and killings (1989) 75-6
 safer under Sayeed's reign 67
 six-point plan for 17-19
 solutions to solve problems of 14
 state assembly elections (2002) bring normality 90, 186, 189
 state identities organized in New Delhi 161
 syncretic identity of *Kashmiriyat* and 20
 Tanzeems appropriated by Taliban organizations 73, 79
 terrorism and 55, 79, 80-81, 85
 terrorism-related arrests (1967) 57
 trifurcation being demanded 20-21
 UN Security Council on 41-2
 uniqueness of 16-17
 unrealistic to try reunifying 28
 US inability to halt terrorism 24, *see also* Kashmir
 Jammu and Kashmir al-Qaeda 79
 Jammu and Kashmir Constituent Assembly 40
 Jammu and Kashmir Islamic Front *see* JKIF
 Jammu Kashmir Liberation Front *see* JKLF
 Jammu and Kashmir Police's Special Operations Group *see* SOG
 Jammu and Ladakh 39
 Jehan, Tanvir, on terrorism 76
 Jigme, Ngabo Ngawang, surrendered to Chinese (October 1950) 156
jihadi,
 decision to expand beyond Jammu and Kashmir 195
 gearing operations towards long-term strategic goal 198-9
 Kashmir and 10, 12, 26, 56, 194-5
 Pakistan and 23, 104
 Jinnah, Muhammad Ali, "two-nation theory" 6-7, 85, 195
 JKIF, bombing of Lajpat Nagar market (1996) 82
 JKLF 59, 75, 163
 Amanullah Khan faction and killings 76
 anti-India violence (1988-89) 56
 bomb in Srinagar Telegraph Office 57, 72
 differentiate themselves from Islamists 74
 Jamaat-e-Islami cadre and 75
 in Jammu and Kashmir 78
 militancy in hands of non-Kashmiris after (1994) 189, 194n.19
 Johnson administration 97
 Joint Intelligence Committee 131
 Junagadh (Muslim-ruled) 37
 Junaid, Mohammad Salim (Lashkar activist) 83
 K2 mountain, Pakistan and 193
 Kalashnikov-series assault rifles recovered (1988-89) 63
 Kaluchak barracks, attack by terrorist forces

(May 2002) 134-5
 Kapran, training camps run by Afghan nationals 79
 Karachi Agreement (July 27, 1949) 27
 Kargil war (1999) 5-6, 8-11, 48, 51, 99-102, 181
 events after 14, 22
 first war in nuclearized South Asia 131-2
 infiltration of troops across LOC 123
 limitations of stability-instability paradox 137
 LOC was respected before war 27
 major powers response to 23
 nuclear lessons of 136
 Pakistanis and Afghans in Kashmir after 25
 put Kashmir on international agenda 192
 second Clinton administration and 24
 US and China refused to support Pakistan 132
 Karim, Abdul ("Tunda") 80
Kashmir: A Way Forward 22
 Kashmir 188-91
 (1990) crisis
 international crisis 99
 linked with nuclear weapons 130
 admission of mistakes in 19-20
 after state elections (1977), quietness 97-8
 conflict over 26-9
 conflict resolution, US policy options 106-12
 dialogue from both sides of LOC needed 52
 Eminent Persons Group should be constructed 18
 ethnoreligious insurgency (1989) 4
 expulsion of Pandit minority 56
 fighting reduced to Muslim versus Hindu 163
 free and fair elections 16
 geopolitical flashpoint 123-4
 human rights violations 163
 independent not desirable 95
 India held election (September-October 2002) 5
 indigenous population tired of conflict 138
 militant movement by foreigners 25
 mixed loyalties 1
 Muslim majority state 16, 35, 148, 162
 new US interest in the region 149
 NGOs and anti-violent sentiment 26
 not seen as issue of self-determination 47
 nuclear "flashpoint" 10-11, 100, 117-18, 124, 136, 138
 Pandit minority and 20, 56, 75-6
 princely state 37, 93, 107
 product of partition of Indian subcontinent (1947) 123, 153

"regime integrity" stage 152
 region of Himalayas that abuts India and Pakistan 35
 Regional Election Commissioner (Article 32(4)) 19
 road to conflict 1-5
 role of civil society 26
 sentiment against violence in 24-5, 29
 slogan of "Azadi" (liberation or freedom) 46
 sovereignty exists at plurality of levels 155, 162
 strong feeling for self-governance 25
 terrorist problem 9-10
 Kashmir Administrative Services (KAS) 19
 Kashmir Police Service (KPS) 19
 Kashmir and Tibet conflicts,
 anthropological and political standpoints 145
 internal and international challenges to the state 153
 interrelated arguments 146
 must rely on similar debates and compromises 175
 state and domains the modern state claims 150
 state expansion and contraction, India and 152
 war on terror 146-9
 Kashmiri Pandit minority, return to Kashmir and 20
 Kashmiri people, unconditional negotiations with 16
 Kathwari, Farooq 22
 Kennedy administration, Nehru and Pakistanis (1963) 8
 Kennedy, President John F. 42, 96
 Keno, Sajjad Ahmad 82
 Khan, Air Marshal Asghar 50
 Khan, Dr. A. G. (Pakistan scientist), plans from Netherlands 127
 Khan, Dr. Asma 77
 Khan, Dr. M. M. R. 36-7
 Khan, Marshal Nur 48
 Khan, President Mohammed Ayub 3, 42-3
 Khan, Samsher (Hizb-ul-Mujaheddin terrorist) 79
 Khan, Zafarulla (Pakistan's Foreign Minister), UN and 41
Khazan Chand versus the State of Jammu and Kashmir 16
 Klein, Naomi 84
 Korea, division of as flashpoint 118
 Krava, Javed Ahmad 82
 Krishnamurthy, Jana (President of BJP party), warning to Pakistan 133
 Ladakh 20-21, 28, 100, 132

Buddhist population 162
 Kargil part of 164
 Ladakh Autonomous Hill Development Council, Leh (May 1995) 165
 Laden, Osama bin 79, 147
 Lahore peace process 131-2
 Lashkar-e-Omar 58
 Lashkar-e-Taiba 55, 58, 67, 80, 83-4, 105
 active in Kashmir 148, 163
 ISI officials at convention (November 2002) 86
 Kashmir one theater in wider war 195, 198
 leaders released in Pakistan 105
 US list of terrorist organizations 104
 Leh 21
 Buddhist 164
 Line of Control *see* LOC
 LOC 4-5, 9, 27, 57, 110
 Al Qaeda fighters active on both sides of 138
 bilateral/multilateral negotiations and 172
 ceasefire line and 27, 97
 conversion into international border 28, 46, 92, 107, 111
 conversion to demilitarized zone 29
 dismay over Pakistan violating 23
 ease of infiltration across 136
 India denies breach of (August 21-23, 2002) 183-4
 infiltration
 decreased during summer (2001) 105
 effect of Operation Parakram (December 2001) 69-70
 foreign nationals and 64-5
 people shot and 69
 troops (1999) 132
 insurgents to be withdrawn from (1999) 101
 marginal gains on Siachen Glacier 182
 nuclear flashpoint in Kashmir 128
 only a *de facto* border between India and Pakistan 169
 Pakistani deployments especially Siachen glacier 193
 restoration of (1999) 102
 weapons shipped across 69, 71
 Lustick, Ian S.,
 analytical model for state contraction and expansion 152
 Unsettled States, Disputed lands 151
 McGrahanan, Carole 11
madrassa (religious school), teaches Islam 109
Majallah al-Dawat (magazine of Markaz Dawat wal'irshad) 83
 Majid, Usman 82
 Malhotra, Jagmohan 74
 Malik, Mohammad Suhail (Lashkar-e-Taiba terrorist) 67, 84
 Malik, Mohammad Yasin (JKLF) 74
 Malik, S. K. (former Pakistan Army Brigadier) 86
 Markaz Dawat wal'irshad 78, 83
 Mattoo, Amitabh 5-6, 12
 Maylasia 109
 Mhatre, Ravindra, murder by JKLF cadres 57
 militant organizations, non-Kashmiris and 16
 mini-max terms 106-8
 Mir, Javed 74
 Mishra, Brajesh, Sandy Berger and 101
 "moderate" terrorist groups 65
 Modi, Narendra 186, 197
 Mohan, Raja (columnist and strategic analyst) 117
 MORI poll 25
 Mountbatten, Lord 1, 2, 38
 Mufti, Mehbooba (Chief Minister's daughter) 188
 Mujahideen, anti-Hindu activities 77
 Mumbai serial bombings (1993) 82
 Musharraf, General Pervez,
 attack on Indian parliament and 198-9
 banned Jaish-e-Muhammad and Lashkar-e-Taiba (2002) 196
 clamp down on cross-LOC infiltration (2002) 184
 coup (1999) 25, 48, 51
 future India-Pakistan war "non-conventional" 71, 131
 moves to limit influence of Islamic militants 49
 prepared for nuclear war 105
 short visit from Clinton (2002) 102
 speech (January 12, 2002)
 condemning attacks 34, 104
 understanding of rot in Pakistani society 109
 telephone conversation with G. W. Bush (2001) 136
 US support for regime of 51
 Muslim Defense Force, elimination of Hindutva (Hindu nationalism) 84
 Muslim majority *tehsils* (subdivisions) 38
 Muslim United Front, Shah a candidate for 74
 Muslims,
 attacks radicalize population of Pakistan 197
 series of different and non-standardized classifications 161
 Muttahida Majlis-i-Amal coalition (2002) 195
 Muzaffarabad 78, 182, 189, 191
 Narendra Nath Vohra (New Delhi's official

interlocutor) 16
 National Conference,
 admitted non-Muslims (1938) 74
 and Congress 74
 death of Shaikh Abdulla (1982) and 187
 victory in election (1977) 4
 National Conference government, voted out
 of office (2002) 186
 National Highway 1A, road between
 Srinagar and Leh 100
 Nehru, Jawaharlal (Indian PM) 3
 accepted UN (1948) resolution on
 Kashmir 168
 agreement with Pakistani Governor
 General Ghulam Mohammad (1955) 28
 attitude to US alliance with Pakistan 95-6
 bilateral talks with Pakistan (1963) 96
 ceasefire line solution 42
 grand strategy for princely states 38
 Indian troops to fend off Azad (Free)
 Kashmir forces 39
 India's nuclear program and 124-5
 Jammu and Kashmir important to 85
 Maharajah Hari Singh's accession and 40
 New Delhi *see* India
 NGOs 26, 89
 Nicaragua, El Salvador's FMLN insurgency
 (1980s) 121-2
 Nimitz, Admiral Chester (plebiscite
 administrator) 40, 95
 Nisar, Maulvi Qazi (Ummat-e-Islamia) 74
 Nonproliferation Treaty (NPT), India's
 nuclear option and 125
 nuclear annihilation, "balance of terror" and
 49
 "nuclear apartheid" 125
 "nuclear" flashpoint,
 definition 118
 Kashmir as (1984-2003) 128-30
 Kargil and War on Terrorism 130-36
 "Operation Gibraltar" (1965) 42, 123
 Operation K2 81-2
 Operation Parakram, effect on infiltration
 69-70
 "Operation Trident" (India) 129
 "Other Backward Castes" (OBC) 161
 Padmanabhan, General 133
 Pakistan 189
 absence of civil society 25, 108
 after September 11, 2001 49-50
 Awami League challenge in East (1971)
 186
 calling for UN resolutions and plebiscite
 for Kashmir 35, 41, 108
 Cold War ally of US 123-4

direct military rule (1958-71) 44
 efforts to bring Kashmir to UN 128
 elections (2002) beginning to restore polity
 90
 feeling of insecurity 35, 50
 felt cheated over Boundary Commission
 award 38
 few supporters of Kashmir policy of 23
 forces modernized by China and US 129
 infiltrated guerrillas across ceasefire line
 (1965) 97
 international sympathy for its position 40
 ISI groups and 191
 Islamist influence on military 7
 Islamists control Northwest Frontier
 Province 51
 Kashmir
 first move on 37-9
 second move and legal arguments 39-42
 Kashmir policy in hands of military 47
 Kashmir "vital" for economy of 41
 laissez-faire nuclear doctrine 128
 long-term measures in 111
 maintains violence established in (1990) 56
 martial law (1977) 45
 military training camps and support for
 Kashmir 130
 military-dominated decisionmaking process
 50
 Muslims of South Asia and 1
 nuclear weapons (1998) 4, 10, 45, 50, 99,
 131, 183
 October 1947 blockade against Kashmir
 155
 operational military control 137, 144n.92
 relied on US support in Kargil war and
 was disappointed 135
 resolution of Kashmir conflict, threaten
 powers-that-be 109
 responsibility for insurgency in Kashmir
 185
 sent infiltrators across ceasefire line (1965)
 42
 should control flow of *jibadi* militants 110
 support for insurgents from within
 Jammu and Kashmir 46, 98, 182
 support for Poonch rebels 93
 supported invaders into India (1999) 100
 thinking tactically 182
 threat from India and nuclear capability
 127-8
 UN resolutions call for plebiscite 108, 162
 Pakistan Muslim League (PML) 51
 Pakistan People's party (PPP) 51
 Pakistani-sponsored terrorist groups 4
 Pakistan's attitude to Kashmir,
 conventional army and 192-4

militants and 194-7
 "Pakistan's *raison d'être* is Islam" 108
 Pal, T. Gen. Krishan 99
 Pandit, Mrs Vijay Lakshmi (Indian
 Ambassador to US) 37
 Parthasarathy, G. 4
 partition,
 flashpoints and 78, 118, 121, 123
 India and Pakistan (1947) 34, 153
 India wanted to undo 39
 Pakistan and 28, 35
 Parveen, Shamima, killing of 76
 Pashtun tribesmen, entered Kashmir with
 Pakistan military officers 38
 Pearl, Daniel 85
 People's Democratic Party-led coalition
 (March 15, 2003) 67, 189-90
 "Healing Touch" program 187-8
 People's Republic of China (PRC) *see*
 China
 PLA 156-7, 173
 plebiscite,
 Kashmir and 89, 94-6, 155, 162, 168, 174
 Tibet and 173-4
 PLO, insurgents in Jordan and Lebanon 122
 political scientists, models of state expansion
 and contraction 151
 politics of identity, symptom and cause of
 conflict 165
 Poonch, tribal rebellion (1947) 2, 93
 post 9/11 world, differentiation between
 access to rights 167
 Powell, Colin 103
 princely states 1, 35, 37, 107, 155
 Provisional IRA, support from neighbor
 state 122
 proximity, unconventional warfare (low-
 intensity conflict) 121
 Qureshi, Hashim, hijack of Indian Airlines
 aircraft 57, 76
 Radcliffe, Sir Cyril, awarded two Muslim
 areas to India 38
 Ramzan ceasefire (2000) 65, 67
 Raphael, Robin (Assistant Secretary for
 South Asia) 23-4
 Rashtriya Swayamsevak Sangh (RSS), ultra-
 right Hindu organization 80
 Rathore, Zaffar (Hizb-ul-Mujaheddin
 terrorist) 79
 Razzak, Abdul ("Tiger" Memon) 82
 Reagan administration (1981), Pakistan as
 high US aid recipient 98
 referendum/plebiscite system, self-
 determination and 168
 regime integrity stage of state 152

region as flashpoint 122
 Regional Autonomy Committee (RAC)
 report 21-2, 31n.17
 rights, individual human or collective
 cultural not standard 167
 Rimpoche, Tenzin Delek, execution
 suspended for two years 147
 Rumaila oilfields (between Iraq and
 Kuwait), economic flashpoint 120, 139n.8
 Rumsfeld, Donald 103
 Rushdi, Salman, protest against *Satanic*
 Verses of 74
 Sadar-I-Riyasat (Governor of Kashmir)
 17-18
 Saeed, Hafiz Mohammad (Lashkar-e-Taiba)
 71, 78, 196
 Salam, Hafiz Abdul, *jihad* in the world 71
 Sandinistas, used by US 121-2
 Sandys, Duncan, Nehru and 96
 Sangdrol, Ngawang (political prisoner) 160
 Sangpo, Takna Jigme (political prisoner) 160
 Sattar, Abdul 35, 39, 42, 83, 133
 Saudi Arabia 80, 82-3
 Sayeed, Mufti Mohammad 5, 182, 187-9
 "healing touch" policy 67
 law and order under 68
 Scheduled Castes (SC) 161, 164
 Schofield, Victoria, grievances amongst
 Kashmiris and 46
 self-determination,
 people of East Timor and 169
 right to referendum 167-9
 shift in releasing it from "decolonization"
 167-8
 September 1965, war along Pakistan's
 border with India 42
 Shah, Mohammad Yusuf (Hizb-ul-
 Mujaheddin chief) 74, 77-8
 Sharif, Mohammad 81
 Sharif, Nawaz 47-8, 51, 101, 101-2
 Sheikh, Abdul Aziz 81
 Sheikh, Omar, prison diaries 85
 Sheikh, Syed Umar 85
 Siachen glacier 12, 27, 132, 193-4
 Sikand, Yoginder 77, 78
 Sikh separatism, Indian province of Punjab,
 insurgency 129
 Simla Accord (1972) 3-4, 9, 27, 43-4, 97, 102
 Singh, Arun (Deputy Minister for Defense)
 129
 Singh, Hari (Maharaja of Kashmir) 40
 appeal to India 2, 155
 Indian help and 39, 93-4
 join India or Pakistan? 1-2, 38, 93, 155, 164
 Kashmir's accession to India (October
 1947) 93, 155

- Singh, Jaswant (Indian Foreign Minister), Strobe Talbott and 101
- Singh, Manjit 81
- Singh, Sardar Swaran 28
- Singh, Tavleen 46
- Sino-Indian relations, improved since (1962) Himalayan War 126
- SOG 82-3
- South Asia, analysts find international concern over Kashmir excessive 122
- communalism key element of conflict in Kashmir 164
- "creative diplomacy" and 112
- failed initiative would have minimal costs today 91
- failed missions to 95-6
- George W. Bush's policy 103
- Muslims do not consider themselves in need of liberation 195
- NGO experts and resolution of Kashmir dispute 89
- nuclear capability 117
- India 124-6
- Pakistan 127-8
- nuclear crises (1984, 1986/87 and 1990) 128
- nuclear war in the future and 137
- Pakistan and Islamic *jihadis* 23, 45, 56, 85, 86
- state-construction 1, 5
- United States and 8
- US arms embargo on India and Pakistan (1965) 97
- US goal strategic stability between India and Pakistan 98
- South Asia Free Trade Area (SAFTA) 111
- South Asia Peace Conference (Chennai August 2001) 175
- South Korea, major flashpoint (1950) 120-21
- sovereignty, "more flexible, less statist positions" on 167
- subjectivity and 160-62
- used in different ways 154
- Soviet Union, endorsed India on Kashmir (1955) 96
- invasion of Afghanistan (1979) 98
- peace conference at Tashkent (1966) 3, 43, 97
- ties with India and 42
- "Spatial malleability" 151
- Special Operations Groups 64, 182
- Srinagar, BJP-allied national Conference 185
- bomb inside Telegraph Office (March 31, 1988) 57, 65-6
- Indian army secured (1947-48) 39
- Jaish-e-Muhammad terrorists and 103
- JKLF in 75
- Lal Chowk (bazaar) 181
- Lal Ded Maternity Hospital 77
- seems more normal (2002) 181
- thinking tactically 182
- Srinagar Declaration (1983) 16
- stability-instability paradox 131, 137
- State Autonomy Committee (SAC) report 22
- state sovereignty, "political contract rather than natural right" 153
- state sovereignty in Tibet and Kashmir conflicts 153-6
- state, the, borders of 150-51
- key part of everyday life 153
- problems for as "regulator of social life and" 150
- stages of 152
- Stepputat, Finn 150
- strategic stability 91
- conflict management and 92-3
- Students' liberation Front 82
- Sundarji, General Krishnaswamy 126, 129
- Swami, Praveen 9-10
- Swaminarayan temple (Gandhinagar), attack (September 24, 2002) 196-7
- Talha, Abu, killed by the SOG 83
- Taliban 147, 196
- Tariq, Maulana Azam (Sipah-e-Sahaba) 71
- Tashkent Peace Conference (1965) 3, 43, 97
- Tazim Islahul Muslimeen (TIM) 80
- terrorism, attacks by groups (1988-89) 63
- contours of 57-65
- estimated geographical distribution of 66
- international community rejects notion of 137
- JKLF and rapes and killings on Islamic grounds 76
- objectives transcend Jammu and Kashmir 56
- patterns of 60
- poverty seems to have little to do with 84
- women's accounts 76-7
- terrorist recruitment, anti-Muslim practices and *Hindutva* forces 10
- Thondup, Gyalo (Dalai Lama's brother) 159
- Tibet, 1949 PLA troops arrived 156
- 1951 Seventeen Point Agreement 154
- Buddhist and ethnically Tibetan 162
- CCP and PLA made sweeping changes in 157
- China settled boundaries of 153
- cultural expression highly regulated 167
- Cultural Revolution and 158-9, 169

- delegations visited (1979 and 1980) 159
- desire for return of Dalai Lama 166
- distress caused by Great Leap Forward 158
- expelled Chinese officials on fall of Qing dynasty (1911) 155
- federation status is possibility 170
- human rights violations 163
- "ideological hegemony" stage 152
- Kashmir equated with 11
- national identity and nationalism built on three platforms 166
- "Seventeen-Point Agreement" (May 23, 1951) 154, 156-7
- status quo involves blanket human rights violations 169
- strong sentiment towards Dalai Lama 160
- Tibet Autonomous Region (TAR) 156-7, 176
- Tibet and Qing dynasty 155
- Tibet and Xinjiang, road through Kashmir 148
- Tibet-China conflict 11, 145, 156-60
- distinction over nationalist action and identity 166-7
- sovereignty and 154
- Tibetans, classified as the Tibetan *minzu* 161, 165
- hunger strike at Chanakyapuri police station 148-9
- meetings between exiled and dissident Chinese (1990) 160
- rely on US for defense in struggle with China 149
- stateless peoples and citizens of single-party state 167
- towards conflict resolution in Kashmir and Tibet 169
- possible methods 171-4
- bilateral/multilateral negotiated settlement 166
- domestically negotiated settlement 171
- international intervention 172
- international mediation 172
- military battle 173
- plebiscite/referendum 173-4
- unilateral state decision 171
- possible solutions 169
- accession to different state 170-71
- independence 171
- maintain status quo 169-70
- more autonomy 170
- transnational terrorism, India, Pakistan, and United States and 90, 99
- Treaty of Peace, Friendship, and Cooperation, India and Soviet Union 124
- Truman administration, fears about Kashmir dispute 94

- Turkey 109
- Uighur Xinjiang groups 147-8
- UK, bilateral dialogue between India and Pakistan (1963) 3
- mediation between India and Pakistan 42
- UN, (1948) involvement with Kashmir 162
- (1950) appeal for help by Tibet 156
- (1957) resolution on Kashmir 168
- Cold War politics were against Kashmir resolution by 95
- Iraq and 169
- Kashmir dispute and 2, 94, 162, 168
- Kashmir issue emerges periodically 117
- little support for Tibetans, Biafrans and Bangladeshis 168
- lost interest in Kashmir (1960) 3
- mediation may work as means of conflict resolution 172
- "more flexible, less statist positions" on sovereignty 167
- protocols on refugees, India and Nepal 149
- Security Council involvement in South Asia 8
- since (1965) no further resolutions on Tibet 158
- Tibet and 157-9
- twice called for referendum in Kashmir 173
- UN Commission on India and Pakistan see UNCIP
- UNCIP 40, 94
- unified population, modern centralized state 160
- Union Public Service Commission 19
- US, agreed to deal firmly with Pakistan (199) 101
- approach to South Asia in mid-1970s 98
- bilateral dialogue between India and Pakistan (1963) 3
- Cold War crises and 94
- determined to improve US-Pakistani relationship 103
- foreign policy concern over Muslim political groups 149
- global War Against Terrorism 6
- "good offices" to urge bilateral debate between India and Pakistan 106
- helped to prevent war 5
- inability to exert pressure on Pakistan 24
- incentives to Pakistan for peace in Kashmir 26-7
- India and Pakistan attempt to manipulate 135-6
- India and Pakistan willing to allow

- intervention 135-6
 India-Pakistan dispute over Kashmir and 101
 list of foreign terrorist organizations 147
 Nawaz Sharif meeting with Clinton (1999) 101-2
 needs to be in steady engagement with India and Pakistan 110
 Pakistan disillusioned by failure to support over Kashmir 43
 Pakistan seeking arms and closer military cooperation (1972) 44
 Pakistan valued ally against Afghanistan invasion 45, 124, 127, 138
 Pakistani forces and *jihad* against 8
 policy towards Kashmir 8, 90-91
 positive relations with Israel and India 138
 preoccupied with Iraq 5
 pressure for civilian rule in Pakistan and 51-2, 111
 proactive conflict resolution in Kashmir needed 111
 September 11, 2001 Al Qaeda attack 4, 6, 14, 22, 104, 136, 190
 shuttle diplomacy for India and Pakistan (2002) 196
 solid relations with India and Pakistan today 90
 Soviets in Afghanistan and 7
 Special Coordinator for Tibetan Affairs 159
 strategic relationship with Pakistan (1953-54) 95
 (1979) 98
 view of (1965) India/Pakistan war 97
 views Kashmir as 'nuclear flashpoint' 117
 worked to stop nuclear war between India and Pakistan 49
 US Policy on Kashmir Conflict 93-4
 9/11, 12/13 and 2001-02 Indo-Pakistani crisis 103-6
 (1947-63) 94-6
 (1963-80) 96-8
 (1980 and 1990s) 98-9
 Bush, George W. policy 103
 Clinton's legacy 102-3
 Kargil war 93-6
 options for conflict resolution 106-12
 US satellite detection, Indian tests canceled (1995) 126
 US-based Kashmir Study Group report 22
 Vajpayee, Atal Bihari (Indian PM) 5, 15-16, 67, 187
 announced enemy's intrusion had been turned back 102
 Independence Day address (August 15, 2002) 34
 Musharraf's visit to Agra (2001) and 48
 talks with Sharif 101
 trip to Lahore (1999) 47-8, 51
 warned of decisive battle 105
 would like to resolve Kashmir conflict 186
 Vajpayee government (1996) 126
 Vishwa Hindu Parishad (Hindu group) 197
 Wandhama 56, 77
 Wani, Ishfaq Majid (JKLF leader) 75
 wars in Iraq (1991 and 2003) 167
 Washington see US
 Washington, "strategic courtship" of Pakistan (1954) 8
 Wazir-e-Azam (chief Minister of Kashmir) 17
 weaponry,
 Chinese-made clones of AK-47 63
 trends in 62
 Weber, Max 152
 Westphalian concept of sovereignty, national honor and 120, 123
 Yawar camp (Afghanistan), military training for terrorists 79
 Zaki-ur-Rahman (Lashkar-e-Taiba commander) 80
 Zargar, Mushtaq Ahmad 72
 Zhu Rongji (Chinese Premier), visit to India (2002) 149
 Zia, Khaleda (Bangladesh Nationalist party) 195
 Zia-ul-Haq, General 127
 Zinni, General Anthony 101

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